

no tickets to travel by railway to the stations of Polur, Agaram Sibbandi, Turinjapuram, Tiruvannamalai, Tandarai and Tirukkovilur on the South Indian Railway shall be sold from the 12th to the 26th November 1909 (both days inclusive) within the Mysore State to any person intending or believed to be intending to proceed to the Kartigai festival and cattle fair at Tiruvannamalai.

POLICE.

The 27th October, 1909.

No. 994.—The services of Lieutenant G. E. Smart, R.A., 30th Mountain Battery, are placed at the disposal of the Government of Burma for employment in the Burma military police.

H. A. STUART,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.

NOTIFICATION.

FORESTS.

Simla, the 28th October, 1909.

No. 1135—246-3-F.—Consequent on the grant of privilege leave for two months and twenty-four days to Mr. C. P. Fisher, Conservator of Forests, II grade, in the Punjab Government's Notification No. 2948-S., dated the 15th October 1909, Mr. A. V. Monro, Deputy Conservator of Forests, is appointed to officiate as Conservator of Forests, III grade Punjab and North-West Frontier Province, with effect from the afternoon of the 5th October 1909, until further orders.

R. W. CARLYLE,

Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATIONS.

Simla, the 26th October, 1909.

No. 127.—The following promotions and reversions are ordered in the Superior Accounts Branch ;

Name.	From			To	Nature of promotion.	With effect from
						1909.
Mr. A. G. F. Napier ...	Assistant grade.	Examiner,	1st	Deputy Examiner, Class II...	Permanent ...	5th April.
Mr. A. N. J. Harrison ...	Assistant grade.	Examiner,	1st	Deputy Examiner, Class II ..	Permanent ...	5th April.
Mr. R. F. G. Scott ...	Assistant grade.	Examiner,	1st	Deputy Examiner, Class II...	Permanent ...	5th July.
Mr. C. E. Ross ...	Examiner, Class II	...		Examiner, Class I	... Permanent ...	5th August.
Mr. C. Muirhead ...	Examiner, Class II, Temporary.			Examiner, Class II	... Permanent ...	5th August.
Mr. R. Srinivasa Ayyar ...	Examiner, Class IV-1	...		Examiner, Class III	... Permanent ...	5th August.

Name.	From	To	Nature of promotion.	With effect from
				1909.
Mr. S. C. Tomkins ...	Examiner, Class IV-2 ...	Examiner, Class IV-1 ...	Permanent ...	5th August.
Mr. W. H. Scott ...	Examiner, Class IV-3, supernumerary.	Examiner, Class IV-2, supernumerary.	Permanent ...	5th August.
Mr. W. F. Milne ...	Examiner, Class IV-3, s. p. t.	Examiner, Class IV-3 ...	Permanent ...	5th August.
Mr. B. N. Mitra ...	Deputy Examiner, Class I, s. p. t.	Deputy Examiner, Class I ...	Permanent ...	5th August.
Mr. W. Courtenay ...	Examiner, Class IV-3 ...	Examiner, Class IV-2 ...	Sub. <i>pro tem</i> .	5th August.
Mr. J. C. Bell ...	Examiner, Class IV-3, Temporary.	Examiner, Class IV-3 ...	Sub. <i>pro tem</i> .	5th August.
Mr. C. H. James ...	Deputy Examiner, Class I, Temporary.	Deputy Examiner, Class I ...	Sub. <i>pro tem</i> .	5th August.
Mr. H. M. C. Trotter ...	Examiner, Class III ...	Examiner, Class II ...	Temporary ...	5th August.
Mr. P. T. R. Kellner ...	Examiner, Class IV-1 ...	Examiner, Class III ...	Temporary ...	5th August.
Mr. J. H. Vaughan ...	Deputy Examiner, Class I ...	Examiner, Class IV-3 ...	Temporary ...	5th August.
Mr. R. F. G. Scott ...	Deputy Examiner, Class II...	Deputy Examiner, Class I ...	Temporary ...	5th August.
Mr. R. A. O'Connor ...	Deputy Examiner, Class I ...	Examiner, Class IV-3 ...	Temporary ...	17th August.
Mr. A. G. F. Napier ...	Deputy Examiner, Class II...	Deputy Examiner, Class I ...	Temporary ...	17th August.
Mr. A. D. Butterfield ...	Deputy Examiner, Class I ...	Examiner, Class IV-3 ...	Temporary ...	21st August.
Mr. K. Venkatarama Ayyar	Deputy Examiner, Class II...	Deputy Examiner, Class I ...	Temporary ...	21st August.
Mr. G. C. Wolfe ...	Examiner, Class II ...	Examiner, Class I ...	Temporary ...	21st September.
Mr. P. C. Mole ...	Examiner, Class III ...	Examiner, Class II ...	Temporary ...	21st September.

The 28th October, 1909.

No. 128.—In Public Works Department Notification No. 111, dated the 23rd September 1909, *delete* the name of Mr. B. G. Harris.

The 29th October, 1909.

No. 129.—Mr. E. D. Chanter, Examiner of Accounts, is on return from leave, reposted to the Office of the Examiner, Public Works Accounts, Burma.

L. M. JACOB,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 25th October, 1909.

No. 3640-*Est.-A*.—Captain L. B. H. Haworth, a Political Assistant of the 2nd class, is granted privilege leave for three months combined with furlough for one year and three months, under Articles 233 and 308 (b) of the Civil Service Regulations, with effect from the 24th June, 1909.

No. 2108-*I.B.*—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and in supersession of the notifications of the Government of India in the Foreign Department, Nos. 2803-I.B., and 3441-I.B., dated, respectively, the 3rd September, 1896, and 9th September, 1897, the Governor General in Council is pleased to apply the Glanders and Farcy Act, 1899 (XIII of 1899), so far as it is applicable, to Berar:

Provided, firstly, that for the purpose of facilitating the application of the said Act, any Court having jurisdiction in Berar may construe the provisions thereof

with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court : and

Provided, secondly, that all references to " British India " and the " Local Government " shall be read as referring to Berar and the Chief Commissioner of the Central Provinces, respectively.

The 26th October, 1909.

No. 2285-G.—With reference to Notification No. 1006-G., dated the 7th September, 1909, Mr. J. C. Fernel, Consular Agent for France at Tellicherry, resumed charge of his office on the 7th October, 1909.

No. 3657-Est.-A.—Khan Sahib Sher Mohammed, Native Assistant, Hunza, is appointed to hold charge of the current duties of the office of Assistant Political Agent, Chilas, in addition to his own duties, with effect from the 19th September, 1909, and until further orders.

The 28th October, 1909.

No. 2143-I.B.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to direct that Mr. T. O. Hughes, Assistant Political Agent, Makran, shall exercise the powers of a Court of Session for the trial of the marginally noted case,* and that he shall hold his Court in Kej (Makran).

* Emperor *versus* Fazal Ilahi accused.
Charge—Murder.

2. In exercise of the jurisdiction of a Court of Session conferred on him by these orders, Mr. Hughes may take cognisance of the offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate.

3. Any sentence that may be passed by Mr. Hughes in exercise of such jurisdiction shall not be executed until the proceedings have been submitted to the Honourable the Agent to the Governor General in Baluchistan, and the sentence confirmed by him.

No. 2146-I.B.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to direct that the words " subject to any amendments to which the Act is for the time being subject in British India " shall be added after the words " so far as it is applicable, to Berar " in the notification of the Government of India in the Foreign Department, No. 1158-I.B., dated the 15th June, 1909, applying the Legal Practitioners Act, 1879 (XVIII of 1879), to Berar.

The 29th October, 1909.

No. 2149-I.B.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor General in Council is pleased to amend the Berar Small Cause Courts Law, 1905, as follows :

1. After section 6 of the said Law the following shall be inserted, namely :

" 6-A. (1) The Chief Commissioner may, by order in writing, appoint an Additional Judge of a Court of Small Causes, or of two or more such Courts.

Additional Judge.

(2) The Additional Judge shall discharge such of the functions of the Judge of the Court of Small Causes as the Judge may assign to him, and in the discharge of those functions, shall exercise the same powers as the Judge.

(3) The Judge may withdraw from the Additional Judge any business pending before him.

(4) When the Judge is absent, the Additional Judge may discharge all or any of the functions of the Judge."

2. After section 7 of the said Law the following shall be inserted, namely :

" 7-A. (1) The Chief Commissioner may appoint to a Court of Small Causes an officer to be called the Registrar of the Court.

Registrar.

(2) Where a Registrar is appointed, he shall be the chief ministerial officer of the Court.

(3) The Chief Commissioner may, by order in writing, confer upon the Registrar, within the local limits of the jurisdiction of the Court, the jurisdiction of a Judge of a Court of Small Causes for the trial of suits of which the value does not exceed twenty rupees.

(4) The Registrar shall try such suits cognisable by him as the Judge may, by general or special order, direct.

(5) A Registrar may be suspended or removed from office by the Chief Commissioner."

S. H. BUTLER,

Secretary to the Government of India.

FINANCE DEPARTMENT (MILITARY FINANCE).

NOTIFICATION.

LEAVE AND APPOINTMENTS.

Simla, the 26th October, 1909.

No. 1908-*Accts.*—Captain A. G. Murray, 1st Brahmans, Assistant Military Accountant, 3rd class, Military Accounts Department, is granted one year's leave to proceed out of India on private affairs, from or after the 1st December 1909, under the leave rules of 1886 for the Indian Army—Pension service 10th year commenced, 6th December 1908.

R. A. MANT,

Joint Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

TELEGRAPHS.

Simla, the 25th October, 1909.

No. 7429—153.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the following amendments shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 6975—137 (Telegraphs), dated the 16th September 1909 :

Rule 32. For clauses (11) and (12) substitute the following :—

" (11). The fee for the registration of an abbreviated address, which should be paid to the officer in charge of the Telegraph Office at which registration is effected, is Rs. 10 yearly, or Rs. 5 half-yearly, payable in advance. When, however, a number of abbreviated addresses are registered by a single firm, either at the same Telegraph Office or at different Telegraph Offices, the fee for registration is :

	Rs.
For the first ten abbreviated addresses ...	10 each.
For the second ten abbreviated addresses ...	5 each.
For each subsequent abbreviated address ...	3

(12). An additional fee, equal to half the registration fee, is charged for every change of the word selected, or for every transfer to another Telegraph Office within the period of registration, but not for change of residence within the delivery limits of the registering office, or for change of name or title of firm or person, so long as the identity is the same (see Condition (10)) and it is not a case of transfer from one firm to another ; if it is a case of such transfer, the full fees are charged."

The 29th October, 1909.

No. 8234.—*Corrigendum.*—In the Notification in this Department, No. 7571—163, dated the 8th October 1909, for " Rule 10 " in the 3rd line of Rule 15 of the rules published therein, read " Rule 7 ".

TELEGRAPH ESTABLISHMENT.

The 26th October, 1909.

No. 8073—67.—Mr. H. G. Tomkins, an officer of the Enrolled List of the Finance Department, is appointed Superintendent of Check Office of the Indian Telegraph Department, with effect from the date of assuming charge of that office.

No. 8074—67.—The services of Mr. N. Vijayaraghavan, an officer of the Enrolled List of the Finance Department, are replaced at the disposal of the Finance Department.

PETROLEUM.

The 29th October, 1909.

No. 8191—6.—The following draft of a Notification, which it is proposed to issue in exercise of the powers conferred by section 4, sub-section (1), of the Indian Petroleum Act, 1899 (VIII of 1899), is published for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration by the Governor General in Council on or after the 1st January 1910.

2. Any objection or suggestion, which may be received from any person with respect to the draft before the date aforesaid, will be considered by the Governor General in Council.

Draft Notification.

In exercise of the power conferred by section 4, sub-section (1), of the Petroleum Act, 1899 (VIII of 1899), the Governor General in Council is pleased to direct that the following alterations and additions be made to the first schedule to the said Act :—

I. After direction 2 in Part II the following shall be added, namely :

“ 3. *Samples of certain Mixtures.*—Samples of liquid, and viscous and sedimentary, petroleum mixtures shall be prepared for testing in the manner prescribed by the two foregoing directions.”

II. For direction 6 in Part III as amended by Home Department Notification No. 928 (7), dated the 28th June 1900, the following shall be substituted, namely :

“ Directions for testing petroleum mixtures.

7. *Liquid Mixtures.*—Where the petroleum mixture is wholly liquid, flows quite freely, and does not contain any sediment or thickening ingredient, such mixture is tested in the same manner as ordinary petroleum.

8. *Viscous and Sedimentary Mixtures.*—Where the petroleum mixture contains an undissolved sediment, as in the case of some metal polishes, which can be separated by filtration or by settlement and decantation, the sediment may be so separated and the decanted liquid may be tested in the same manner as ordinary petroleum.

In carrying out such separation, care must be taken to minimise the evaporation of the petroleum. The separation of the sediment must not be effected by distillation.

Where the petroleum mixture is such that sediment cannot be separated by the aforementioned means, or where it is of a viscous nature, as in the case of India-rubber solution, quick-drying paints, etc., such mixture shall be tested in a modified apparatus which differs from that prescribed in Part I, only in the addition of a stirrer to equalize the temperature throughout the sample under test.

In carrying out the test of a viscous petroleum mixture, this stirrer shall be constantly revolved at a slow speed, except when applying the test flame, with the fingers, the direction of revolution being that of the hand of a clock.

With the exception of the use of the stirrer, the manner of carrying out the test shall be the same as in the case of ordinary petroleum.

The stirrer may be removed by grasping the spindle just above the blades with the finger and thumb, and unscrewing the upper sheath. The opening in the lid, through which the stirrer passes, may then be closed by a plug provided for the purpose.

When this has been done, the apparatus shall be deemed to comply with the specification set forth in this schedule and may be used for testing ordinary petroleum.

A model of the aforementioned apparatus will be deposited in the office of the Chemical Examiner to Government, Calcutta, and the provisions of section 20 of the Petroleum Act, 1899, in regard to verification and stamping shall apply also to such apparatus as though it were the apparatus prescribed by the said Act.

For the purpose of carrying out such verification the stirrer shall be removed and the opening plugged as hereinbefore directed. The apparatus shall then be tested with ordinary petroleum. The stirrer shall be verified by comparison of measurements.”

III. For the heading to Part IV the following shall be substituted, namely :

“ Directions for determining the flashing point of petroleum and petroleum mixtures which are not fluid at ordinary temperatures, but liquefy when heated in a water bath, or which are liquid at ordinary temperatures but solidify on being cooled to 50°F.”

B. ROBERTSON,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 29th October 1909.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 981.—On return from leave, the services of Major R. L. Morris, Indian Army, are placed at the disposal of the Hon'ble the Chief Commissioner, Central Provinces, for employment as a Cantonment Magistrate.

No. 982.—On return from leave, the services of Major R. R. Vaughan, Indian Army, are placed at the disposal of the Government of Bengal for employment as a Cantonment Magistrate.

No. 983.—The services of Captain G. N. L. Labertouche, 122nd Infantry, are placed at the disposal of the Government of the Punjab for employment as an officiating Assistant Cantonment Magistrate.

FURLOUGH AND LEAVE.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 984.—Major W. C. S. Prince, Indian Army, has been granted privilege leave for three months, with furlough out of India in continuation for 152 days; with effect from the 13th October 1909.

LONDON GAZETTE.

No. 985.—The following extracts are published for general information:—

"London Gazette," dated 5th October 1909, pages 7353, 7354, 7355, 7356, 7357 and 7358.

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WAR OFFICE,

Whitehall, 5th October, 1909.

.....

Captain Philip Howell, Queen's Own Corps of Guides (Lumsden's), Indian Army, to be a General Staff Officer, 3rd grade, at Head-Quarters, *vice* Major F. R. Lawrence, D.S.O., 14th (King's) Hussars, whose tenure of that appointment has expired. Dated 21st September 1909.

.....

MEMORANDA.

Major-General Alfred R. Martin, C.B., Indian Army, to be Lieutenant-General, *vice* Sir E. G. Barrow, G.C.B., promoted. Dated 27th July 1909.

.....

The undermentioned Colonels (temporary Brigadier-Generals), Indian Army, to be Major-Generals:—

Hamilton Bower, *vice* J. E. Nixon, C.B., promoted. Dated 15th February 1909.

Francis H. R. Drummond, C.B., C.I.E., *vice* A. R. Martin, C.B., promoted. Dated 27th July 1909.

Brevet-Colonel George A. Cookson, Indian Army, to be Colonel. Dated 16th August 1909.

.....

The undermentioned Native Officer, Indian Army, is granted the honorary rank of Lieutenant on retirement. Dated 7th February 1909:—

Ressaidar Kamal-ud-din, *Sardar Bahadur*.

.....

INDIA OFFICE ;

October 5, 1909.

The King has approved of the following promotions in the Indian Army, Indian Medical Service, Indian Civil Veterinary Department, and Indian Army Departments, and admissions to the Indian Medical Service :—

INDIAN ARMY.

Majors to be Lieutenant-Colonels.

Dated 25th April 1909.

Herbert Clifford Bernard, Commandant, 45th Rattray's Sikhs.

Dated 28th April 1909.

Arthur Henry Williams, Commandant, 91st Punjabis (Light Infantry).

Dated 1st June 1909.

George Joseph FitzMaurice Soady, Commandant, 66th Punjabis.

Dated 17th June 1909.

Reginald George Burton, Commandant, 94th Russell's Infantry.

Dated 25th June 1909.

Edward Hearle Cole, Commandant, 11th King Edward's Own Lancers (Probyn's Horse).

Dated 5th July 1909.

John Augustus Godfrey Rainsford, Commandant, 93rd Burma Infantry.

Dated 28th July 1909.

Algernon Winn Chaldecott, 21st Prince Albert Victor's Own Cavalry (Frontier Force) (Daly's Horse).

Captains to be Majors.

Dated 24th July 1909.

Westwood Norman Hay, 129th Duke of Connaught's Own Baluchis.

Alfred Stewart Capper, 39th Prince of Wales' Own Central India Horse.

Arthur Prescott Trevor, Political Employ.

Vere de Vere Hunt, 125th Napier's Rifles.

Dated 25th July 1909.

George Callander Burn, Cantonment Magistrates' Department.

Aubrey John O'Brien, C.I.E., Supernumerary List.

George Ross Deas Churchill, 19th Punjabis.

Eyre Evans Preston, Supply and Transport Corps.

Frederick Peter Charles Keily, 125th Napier's Rifles.

Lieutenants to be Captains.

Dated 11th January 1909.

John Thornton Lodwick, 3rd Queen Alexandra's Gurkha Rifles.

Dated 16th February 1909.

John Harold Goodwyn Marriott, 12th Pioneers (The Kelat-i-Ghilzai Regiment).

Dated 19th May 1909.

William George Arthur Brett, 76th Punjabis.

Dated 9th June 1909.

Eric James Bell, 127th Princess of Wales' Own Baluch Light Infantry.

Dated 30th June 1909.

George Rowland Bird, 4th Prince Albert Victor's Rajputs.

Dated 1st July 1909.

Edward Hale Lewin, 46th Punjabis.

- Dated 6th July 1909.
Eustace Arthur Maude, 26th Punjabis.
- Dated 15th July 1909.
Hubert Norris, 80th Carnatic Infantry.
- Dated 18th July 1909.
John Arthur Muirhead, 1st Duke of York's Own Lancers (Skinner's Horse).
- Dated 28th July 1909.
Geoffrey Leigh Blair, 36th Sikhs.
Arthur Kenneth Norris, 123rd Outram's Rifles.
Alan Murray Brown, 47th Sikhs.
George Frank Wemyss Anson, 17th Infantry (The Loyal Regiment).
Francis Faith Hodgson, 84th Punjabis.
Cecil Edwin Hunt, 34th Sikh Pioneers.
Alan Latham, 1st Prince of Wales' Own Gurkha Rifles (The Malaun Regiment).
John Fillis Carre Carter, 35th Sikhs.
Gunning Campbell Charles Clarke, Supply and Transport Corps.
Roderick William Macdonald, 36th Sikhs.
Robert Arthur Harvey Robertson, 30th Punjabis.
Arthur Wilfred White, 117th Mahrattas.
James Carnegie Hathornthwaite, 121st Pioneers.
Alexander Forrest Harper, 84th Punjabis.
George Airy, 53rd Sikhs (Frontier Force).
Beauchamp Oswald Duff, 1st Prince of Wales' Own Gurkha Rifles (The Malaun Regiment).
Thomas Balfour Traill, 1st Duke of Connaught's Lancers (Watson's Horse).
George Darel Senhouse Le Messurier, 34th Sikh Pioneers.
Percy Ashfield, 107th Pioneers.
Dudley Mostyn Patrickson, 86th Carnatic Infantry.
Bruce Turnbull, 23rd Sikh Pioneers.
George Drummond Ogilvie, Political Employ.
Colin Walter Johnstone Smith, 29th Punjabis.
William Arthur MacDonell Garstin, 7th Gurkha Rifles.
Deneys Henry Vanrenen, Army Remount Department.
John Harvey De Wiederhold Carruthers, 39th Garhwal Rifles.
Donald Moyle Field, 14th Prince of Wales' Own Ferozepore Sikhs.
Leland George Crosthwait, Survey Department.
Frederick Marshman Bailey, Political Employ.
Ralph Montacute Brind, 37th Dogras.
George Burnet Abercrombie Rind, 124th Duchess of Connaught's Own Baluchistan Infantry.
Francis Thomas Powney Ebdon, 73rd Carnatic Infantry.
Cuthbert Colpoys Cunningham, 12th Pioneers (The Kelat-i-Ghilzai Regiment).
Godfrey Pearse, Supply and Transport Corps.
Arthur Lucius Wilford, 5th Light Infantry.
Charles Percy Graham, 28th Light Cavalry.
Murray Selwood Hewett, 7th Duke of Connaught's Own Rajputs.
William Reginald Bartlett Stacey, 92nd Punjabis.
Victor Valentine Vincent Sandiford, 62nd Punjabis.

Mountiford Hickman Llewellyn Morgan, 62nd Punjabis.

Victor Coates, 87th Punjabis.

William Marshall, 63rd Palamcottah Light Infantry.

Second-Lieutenants to be Lieutenants.

Dated 19th April 1909.

Arthur Charles Percival Hill, 10th Gurkha Rifles.

Robert Geoffrey Gardner, 20th Duke of Cambridge's Own Infantry (Brownlow's Punjabis).

INDIAN MEDICAL SERVICE.

To be Surgeon-General.

Dated 11th January 1909.

Lieutenant-Colonel Henry Wickham Stevenson.

Majors to be Lieutenant-Colonels.

Dated 29th September 1908.

Herbert Edward Drake-Brockman, F.R.C.S.E.

William Byam Lane.

Philip James Lumsden.

Samuel Esmond Prall, M.B.

Captain to be Major.

Dated 28th July 1909.

John George Patrick Murray, M.B.

Lieutenant to be Captain.

Dated 1st February 1909.

William Anderson Mearns, M.B.

To be Lieutenants.

Dated 30th January 1909.

Henry Charles Gustavus Semon, M.B., M.R.C.P.

Andrew Monro Jukes, M.D.

Gwilym Gregory James, M.B.

William David Keyworth, M.B.

Berkeley Gale, M.B.

John Howard Horne, M.B.

Harold Holmes King, M.B.

Richard Edward Flowerdew, M.B.

Mozaffer Din Ahmed Kureishi.

John Glendinning Bryden Shand.

Alfred John Lee, M.B.

INDIAN CIVIL VETERINARY DEPARTMENT.

Captain to be Major.

Dated 25th July 1909.

George Kemp Walker, F.R.C.V.S.

INDIAN ARMY DEPARTMENTS.

SUPPLY AND TRANSPORT CORPS.

To be Assistant Commissary, with the honorary rank of Lieutenant.

Dated 1st November 1907.

Conductor James Alfred King.

BARRACK DEPARTMENT.

To be Commissaries, with the honorary rank of Captain.

Dated 17th May 1908.

Conductor Thomas Martin.

Conductor Dennis Rennick.

Dated 18th September 1908.

Deputy Commissary and Honorary Captain Archibald Martinant.

Conductors to be Assistant Commissaries, with the honorary rank of Lieutenant.

Dated 17th May 1908.

Thomas Hennessy.

William Harvey.

Frederick William Leason.

ARMY CLOTHING DEPARTMENT.

To be Commissary.

Dated 1st October 1908.

Deputy Commissary and Honorary Captain William Garnett.

MISCELLANEOUS LIST.

To be Deputy Commissary, with the honorary rank of Captain (supernumerary).

Dated 10th May 1908.

Assistant Commissary and Honorary Lieutenant Arthur Gale.

The King has approved of the transfer of the following Officers of the Indian Army to the Unemployed Supernumerary List :—

Colonel John William Hogge, C.B., C.I.E. Dated 18th August 1909.

Colonel Hastings Read, C.B. Dated 19th August 1909.

Lieutenant-Colonel Henry Richmond William Lumsden. Dated 9th September 1908.

The King has approved of the restoration to the Active List of the Indian Army of the following Officer on the temporary Half-pay List :—

Lieutenant Reinfred Tatton Arundell. Dated 16th July 1909 ;

and of the transfer to the temporary Half-pay List of the following Officers of the Indian Army and Indian Medical Service :—

INDIAN ARMY.

Captain William Thomas Fetherstonhaugh Thompson. Dated 20th September 1909.

Lieutenant Cyril Byam Gannon. Dated 15th September 1909.

INDIAN MEDICAL SERVICE.

Captain Richard Francis Chetwynd Talbot, M.D. Dated 24th July 1909.

The King has approved of the retirement of the following Officers of the Indian Army, Indian Medical Service, Indian Subordinate Medical Department, and Indian Army Departments :—

INDIAN ARMY.

Colonel Henry Augustus Carleton. Dated 9th October 1909.

Major William John Pettitt Kaye. Dated 29th August 1909.

Major Frederick Hugo Pigou. Dated 5th August 1909.

Major Harry Gilbert Peyton Beville. Dated 21st September 1909.

INDIAN MEDICAL SERVICE.

Lieutenant-Colonel Terence Humphreys Sweeny, F.R.C.S.I. Dated 1st March 1909.

Lieutenant-Colonel Francis Frederick Perry, C.I.E., F.R.C.S. Dated 14th June 1909.

Lieutenant-Colonel Stephen Little, M.D. Dated 22nd June 1909.

Lieutenant-Colonel Richard John Baker, M.D. Dated 12th August 1909.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

Senior Assistant Surgeon and Honorary Captain William Henry Robinson. Dated 12th January 1909.

Senior Assistant Surgeon and Honorary Captain George Robert Allan. Dated 2nd June 1909.

INDIAN ARMY DEPARTMENTS.

Commissary and Honorary Major William Breakey. Dated 23rd October 1909.

Commissary and Honorary Captain James Lennox. Dated 1st November 1908.

Commissary and Honorary Captain Frederick Beaufort. Dated 20th September 1909.

The King has approved of the resignation of the following officers from the service :—

Captain Vernon Percy-Smith, Indian Army. Dated 4th July 1909.

Lieutenant Arthur Batoum Zorab, Indian Medical Service. Dated 26th September 1909.

In London Gazette of 17th October 1905, the date of promotion of Major W. C. Barratt, D.S.O., to be Lieutenant-Colonel, should be 25th and not 23rd July 1905.

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"London Gazette," dated 8th October 1909, pages 7430 and 7432.

.....

WAR OFFICE,

Whitehall, 8th October, 1909.

.....

MEMORANDA.

.....

Lieutenant-Colonel and Brevet-Colonel John D. H. Waller, Indian Ordnance Department, retires on an Indian Pension. Dated 9th October 1909.

.....

ORGANISATION.

ARMY RESERVES.

No. 986.—Cyril Champkin to be Second-Lieutenant in the Infantry Branch of the Indian Army Reserve of Officers.

PROMOTIONS.

INDIAN ARMY.

No. 987.—The following promotions are made, subject to His Majesty's approval :—

Captains to be Majors.

21st October 1909.

Travers Edward Madden, 17th Infantry (The Loyal Regiment).

28th October 1909.

Wilfrid James Mitchell, 124th Duchess of Connaught's Own Baluchistan Infantry.

INDIAN MEDICAL SERVICE.

No. 988.—The following promotion is made, subject to His Majesty's approval :—

Captain to be Major.

28th July 1909.

Thomas Henry Delany, M.D., F.R.C.S.I.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

ASSISTANT SURGEON BRANCH.

No. 989.—The undermentioned 3rd Class Assistant Surgeons, having completed seven years' service in that class and passed the required departmental examination, to be 2nd Class Assistant Surgeons, with effect from the 1st October 1909 :—

George Samuel Jennings.

George Fredrick Andeen.

ORDNANCE DEPARTMENT.

Southern Circle.

No. 990.—Sub-Conductor William Kent, supernumerary to the establishment, on reversion to Arsenal duty from the Seconded list, to be absorbed ;

vice Sub-Conductor William Giltinan, transferred to the pension establishment ; with effect from the 9th August 1909.

SUPPLY AND TRANSPORT CORPS.

(LATE) BENGAL-PUNJAB LIST.

No. 991.—Sergeant Julius Ballin to be Sub-Conductor ;

vice Sub-Conductor Arthur Brand, transferred to the pension establishment ; with effect from the 23rd August 1909.

No. 992.—Sub-Conductor Albert Gilbert to be Conductor ;

Sergeant George Cheeseman to be Sub-Conductor ;

vice Conductor Richard Abel, transferred to the pension establishment ; with effect from the 18th September 1909.

MILITARY WORKS SERVICES, INDIA.

No. 993.—Sub-Conductor Walter Herbert Atkin Cooper, Supervisor, 1st grade, and Sub-Engineer, 3rd grade (temporary), Burma Public Works Department, to be Conductor ;

Sergeant Henry Walter Innes, Supervisor, 2nd grade and 1st grade (temporary), Military Works Services, to be Sub-Conductor ;

Sergeant John Drysdale Mathew, Supervisor, 2nd grade, United Provinces Public Works Department, to be Sub-Conductor ;

Sergeant George Hamilton Ricketts and Fredrick William Slade, Supervisors, 2nd grade, Military Works Services, to be Sub-Conductors ;
to complete the establishment ; with effect from the 16th July 1909.

No. 994.—Deputy Commissary and Honorary Captain James Hunter, Assistant Engineer, 2nd grade, Military Works Services, to be Commissary ;

Assistant Commissary and Honorary Lieutenant Lennie Lee, Assistant Engineer, 2nd grade, Military Works Services, to be Deputy Commissary and to have the honorary rank of Captain, subject to His Majesty's approval ;

Conductor Samuel Cocksedge, Sub-Engineer, 3rd grade, Military Works Services, to be Assistant Commissary and to have the honorary rank of Lieutenant, subject to His Majesty's approval ;

Sub-Conductor Herbert Mervyn Clybourne Garth, Sub-Engineer, 2nd grade, Eastern Bengal and Assam Public Works Department, to be Conductor ; and

Sergeant Joseph Quigley, Supervisor, 2nd grade, Military Works Services, to be Sub-Conductor ;

vice Commissary and Honorary Captain Frederick Beaufort, retired ; with effect from the 20th September 1909.

NATIVE ARMY.

APPOINTMENTS AND PROMOTIONS.

SUPPLY AND TRANSPORT CORPS.

No. 995.—The following appointments are made in the Reserve of the Supply and Transport Corps :—

To be Jemadar.

Pardumman Singh of the Ludhiana District.

Dewa Singh of the Amritsar District.

No. 996.—The following promotions are made :—

26th Prince of Wales's Own Light Cavalry.

Dafadar Lakhpat Singh to be Jemadar, *vice* Nuthan Singh, transferred to the pension establishment ; with effect from the 1st September 1909.

31st Duke of Connaught's Own Lancers.

Jemadar Balwant Rao Kachre to be Ressaidar, *vice* Uttam Singh, transferred to the pension establishment ; with effect from the 18th September 1909.

Kot Dafadar Balwant Singh to be Jemadar, *vice* Partab Singh, transferred to the pension establishment ; with effect from the 26th August 1909.

123rd Outram's Rifles.

Havildar Ghulam Muhammad to be Jemadar, *vice* Diwan Ali Khan, transferred to the pension establishment ; with effect from the 1st October 1909.

PENSIONS.

WARRANT OFFICERS.

No. 997.—The undermentioned Warrant Officers have been transferred to the pension establishment, with effect from the dates specified :—

Sub-Conductor Arthur Brand, Supply and Transport Corps, (late) Bengal-Punjab List ; with effect from the 23rd August 1909.

Conductor Richard Abel, Supply and Transport Corps, (late) Bengal-Punjab List ; with effect from the 18th September 1909.

RETIREMENTS.

INDIAN ARMY.

No. 998.—The undermentioned officers have been permitted by the Secretary of State for India to retire from the service, subject to His Majesty's approval, with effect from the dates specified :—

Colonel Charles Hogge, C.B., Unemployed Supernumerary List. 23rd September 1909.

Brevet-Colonel John William Hogge, C.B., C.I.E. 23rd September 1909.

Lieutenant-Colonel Montague James, Unemployed Supernumerary List. 15th September 1909.

Major Hugh Edward Cotterill, 28th Punjabis. 27th September 1909.

No. 999.—Major Dennis John Meagher is permitted to retire from the service, subject to His Majesty's approval.

INDIAN MEDICAL SERVICE.

No. 1000.—Lieutenant-Colonel Edwin Harold Brown, M.D., F.R.C.S.E., Indian Medical Service, Bengal, is permitted to retire from the service, subject to His Majesty's approval ; with effect from the 10th November 1909.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

1st Punjab Volunteer Rifles.

No. 1001.—Donald James Boyd, I.C.S., to be Second-Lieutenant, *vice* F. A. L. Jones, promoted. Dated 1st October 1909.

Naini Tal Volunteer Rifles.

No. 1002.—Charles St. Leger Teyen to be Second-Lieutenant, to fill an existing vacancy. Dated 12th July 1909.

Arthur Richard Burns to be Second-Lieutenant, to fill an existing vacancy. Dated 4th October 1909.

2nd Battalion, Great Indian Peninsula Railway Volunteer Rifle Corps.

No. 1003.—Edward Dyffring Stradling Nicholl-Carne to be Second-Lieutenant, to fill an existing vacancy. Dated 1st September 1909.

Oudh and Rohilkhand Railway Volunteer Rifles.

No. 1004.—Lieutenant Harold Cooper, Supernumerary List, resigns his commission.
Dated 1st October 1909.

R. I. SCALLON, *Major-General,*

Secretary to the Government of India.

ARMY DEPARTMENT.

NOTIFICATION.

Simla, the 29th October 1909.

Under Clause 53 of the Regulations appended to the Regimental Dehts Act, 1893, it is notified that reports of the deaths of the undermentioned Commissioned Officers on the dates specified, were received in the Army Department between the 29th September and 26th October 1909:—

Corps.	Rank and name.	Date of Decease.	Place of Decease.	Testate or Intestate.	REMARKS.
1st (Royal) Dragoons ...	2nd-Lieutenant Ernest Alfred Rimer Rube.	20th October 1909.	Lucknow ...	...	...
84th Punjabis ...	Major John Charles Massy Wheeler.	6th October 1909.	England ...	...	...
1st Royal Irish Regiment	Captain James Alfonse Mari Joseph Patrick Kelly, D.S.O.	23rd October 1909.	Agra ...	...	...

R. I. SCALLON, *Major-General,*

Secretary to the Government of India.

RAILWAY DEPARTMENT.

(RAILWAY BOARD.)

NOTIFICATIONS.

Simla, the 26th October, 1909.

No. 325.—Mr. C. S. Ritchie, Assistant Traffic Superintendent, Eastern Bengal State Railway, in Class III, grade 3, of the Superior Revenue Establishment of State Railways, is appointed to officiate as a District Traffic Superintendent, in class II of that establishment, with effect from the 30th September 1909, *vice* Mr. S. E. S. William on privilege leave.

The 28th October, 1909.

No. 328.—Major W. A. S. Kincaid, R.E., of the Superior Revenue Establishment of State Railways, Traffic Department, has been granted by His Majesty's Secretary of State for India leave on medical certificate for one month in extension of that notified in Notification No. 113, dated the 22nd April 1909.

No. 329.—With reference to Notification No. 328, dated 28th October 1909, Major W. A. S. Kincaid, R.E., of the Superior Revenue Establishment of State Railways, is, on return from leave, posted to the Eastern Bengal State Railway as Deputy Traffic Superintendent.

No. 330.—Mr. H. B. Holmes, Deputy Traffic Superintendent, Eastern Bengal State Railway, is, on return from leave, appointed to officiate as Traffic Superintendent of that Railway, until further orders.

No. 331.—With reference to Railway Board Notification No. 330, dated the 28th October 1909, Mr. J. H. Murray, Officiating Traffic Superintendent, Eastern Bengal State Railway, is appointed to officiate as Deputy Traffic Superintendent of that Railway, until further orders.

No. 332.—With reference to Railway Board Notification No. 329, dated 28th October 1909, Mr. C. L. Taylor, Officiating Deputy Traffic Superintendent, Eastern Bengal State Railway, is reverted to his substantive appointment of District Traffic Superintendent of that Railway.

The 27th October, 1909.

No. 326.—The following is published for general information :

No. 1906 R. T., dated the 21st October 1909.

RESOLUTION—By the Railway Board.

Adoption on the Howrah-Amta, Howrah-Sheakhalla, Bukhtiarpur-Bihar and Baraset-Basirhat Light Railways of the amendments in rule 13 IX and 13 XI of Appendix B to the General Rules of 1906 for working open lines of railway.

READ—

Section 47 of the Indian Railways Act, 1890 (IX of 1890).

Government of India, Department of Commerce and Industry, notification No. 801, dated the 24th March 1905.

Railway Board's notification No. 183, dated the 8th September 1906, and Railway Board's circular No. R. T., $\frac{89 \text{ A}}{5}$, dated the 8th September 1906.

Railway Board's notification No. 183, dated the 22nd July 1907, and Railway Board's circular No. 562 R. T., dated the 5th July 1907.

Railway Board's notification No. 290, dated the 1st November 1907, and Railway Board's resolution No. 1305 R. T., dated the 30th October 1907.

Railway Board's notification No. 221, dated the 16th July 1909, and Railway Board's circular No. 1228 R. T., dated the 6th July 1909.

READ ALSO—

Letter No. 721 T. R., dated the 4th October 1909, from the Secretary to the Government of Bengal, Railway Department.

RESOLUTION.—The Managing Agents of the Howrah-Amta, Howrah-Sheakhalla, Bukhtiarpur-Bihar and Baraset-Basirhat Light Railway Companies have recommended the adoption on the Howrah-Amta, Howrah-Sheakhalla, Bukhtiarpur-Bihar and Baraset-Basirhat Light Railways of the amendments promulgated with Railway Board's circular No. 1228 R. T., dated the 6th July 1909, and published under their notification No. 221, dated the 16th July 1909, in rules 13 IX and 13 XI of Appendix B to the General Rules of 1906 for working open lines of railway in British India, which rules and Appendix B thereto were sanctioned for adoption on the Howrah-Amta, Howrah-Sheakhalla, Bukhtiarpur-Bihar and Baraset-Basirhat Light Railways, in Railway Board's resolution No. 1305 R. T., dated the 30th October 1907, read in the preamble above.

2. In exercise of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, read in the preamble above, the Railway Board sanction, under section 47, sub-sections (1) and (4), of the Indian Railways Act, 1890 (IX of 1890), the adoption of the amendments in Appendix B to the said General Rules, cited in paragraph 1 above, on the Howrah-Amta, Howrah-Sheakhalla, Bukhtiarpur-Bihar and Baraset-Basirhat Light Railways.

ORDER.—Ordered that this resolution be published under a notification in Part I of the *Gazette of India* as required by section 47, sub-section (3), of the Indian Railways Act, 1890 (IX of 1890); also that the amendments cited in paragraph 1 above, which have already been published in the *Gazette of India*, be kept open for inspection at railway stations as directed by sub-section

(6) of the same section, and that this resolution be communicated to the Secretary to the Government of Bengal, Railway Department, and to the Senior Government Inspector of Railways, Circle No. 2, Calcutta, for information.

No. 327.—The following is published for general information :

No. 1904 R.T., dated the 21st October 1909.

RESOLUTION—By the Railway Board.

Adoption on the Dibru-Sadiya Railway of the amendments in rule 13 IX and 13 XI of Appendix B to the General Rules of 1906 for working open lines of railway.

READ—

Section 47 of the Indian Railways Act, 1890 (IX of 1890).

Government of India, Department of Commerce and Industry, notification No. 801, dated the 24th March 1905.

Railway Board's notification No. 183, dated the 8th September 1906, and Railway Board's circular No. R. T., $\frac{89-A}{5}$, dated the 8th September 1906.

Railway Board's notification No. 183, dated the 22nd July 1907, and Railway Board's circular No. 562-R. T., dated the 5th July 1907.

Railway Board's notification No. 249, dated the 4th October 1907, and Railway Board's resolution No. 1084-R. T., dated the 30th September 1907.

Railway Board's notification No. 221, dated the 16th July 1909, and Railway Board's circular No. 1228-R. T., dated the 6th July 1909.

READ ALSO—

Letter No. 1086-R., dated the 4th October 1909, from the Secretary to the Government of Eastern Bengal and Assam, Public Works Department.

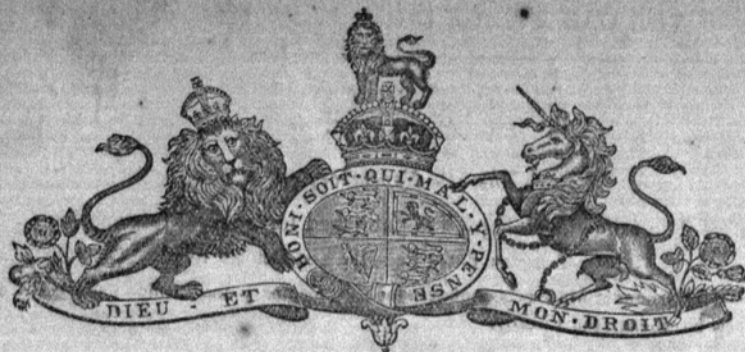
RESOLUTION.—The Agent and General Manager of the Assam Railways and Trading Co. has recommended the adoption on the Dibru-Sadiya Railway of the amendments, promulgated with Railway Board's circular No. 1228-R. T., dated the 6th July 1909, and published under their notification No. 221, dated the 16th July 1909, in rule 13 IX and 13 XI of Appendix B to the General Rules of 1906 for working open lines of railway, which rules and Appendix B thereto were sanctioned for adoption on the Dibru-Sadiya Railway in Railway Board's resolution No. 1084-R. T., dated the 30th September 1907, read in the preamble above.

2. In exercise of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, read in the preamble above, the Railway Board sanction, under section 47, sub-sections (1) and (4), of the Indian Railways Act, 1890 (IX of 1890), the adoption of the amendments in Appendix B to the said General Rules, cited in paragraph 1 above, on the Dibru-Sadiya Railway.

ORDER.—Ordered that this resolution be published under a notification in Part I of the *Gazette of India* as required by section 47, sub-section (3), of the Indian Railways Act, 1890 (IX of 1890); also that the amendments cited in paragraph 1 above, which have already been published in the *Gazette of India* be kept open for inspection at railway stations as directed by sub-section (6) of the same section, and that this resolution be communicated to the Secretary to the Government of Eastern Bengal and Assam, Public Works Department, and to the Senior Government Inspector of Railways, Circle No. 1, Calcutta, for information.

R. C. F. VOLKERS,

Secretary, Railway Board.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 45.}

SIMLA, SATURDAY, NOVEMBER 6, 1909.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

PAGES.	PAGES.
PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations	SUPPLEMENT No. 45.
1097—1105	Statement of Wholesale and Retail Prices and certain staple articles of food-grains for the second-half of September 1909 2231—2249
PART II.—Notifications by Comptroller General, Department of Commerce and Industry, Paper Currency Department, Bank of Bengal, Agent to the Governor-General and Chief Commissioner in Baluchistan, Agent to the Governor-General, North-West Frontier Province, Administrator General of Bengal, High Court, Survey of India Department, Indian Museum, State Railways, Calcutta University, Post Office, Telegraph Department, Official Advertisements	Report on the working of the Post Office of India during the year 1908-09 2250—2293
1685—1722	Imports of Cotton, Wheat, Linseed, Indigo, Jute, Tea and Rice 2295—2299
PART III.—Advertisements and Notices by Private Individuals and Corporations	Rainfall Summary for the seven days ending at 8 hrs., Thursday, the 4th November 1909, based on the Indian Daily Weather Reports of the period 2301—2303
95	Season and Crop Prospects for the week ending Saturday, the 30th October 1909 2304—2306
	Statement of plague seizures and deaths reported in India during week ending the 30th October 1909 2307—2314
	Review of Irrigation in India in 1907-08 2315—2342
	Statement of Approximate Gross earnings of Indian Railways 2343—2345

PART I.

Government of India Notifications, Appointments, Promotions, &c.

HOME DEPARTMENT.

NOTIFICATIONS.

MEDICAL.

Simla, the 4th November, 1909.

No. 1341.—The services of Captain J. W. D. Megaw, M.B., I.M.S., are placed permanently at the disposal of the Government of Bengal.

The 5th November, 1909.

No. 1344.—The services of Captain E. A. Roberts, I.M.S., are placed temporarily at the disposal of the Government of Madras.

(1097)

SANITARY.**PLAGUE.***The 4th November, 1909.*

No. 1821.—The following telegram is published for general information :

Telegram dated Pera, the 31st October 1909.

From—His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at Constantinople,
To—His Excellency the Viceroy.

Two cases of plague reported at Adalia. Medical inspection imposed on arrivals at first Ottoman port of call.

JAILS.*The 4th November, 1909.*

No. 348.—The services of Captain R. A. Chambers, M.B., I.M.S., are placed temporarily at the disposal of the Government of Bombay for employment in the Jail Department.

2. The Home Department notification no. 325, dated the 21st October 1909, is cancelled.

ARCHÆOLOGY.**EPIGRAPHY.***The 2nd November, 1909.*

No. 344.—Mr. A. H. Longhurst, officiating Superintendent, Archæological Survey, Northern Circle, is appointed to officiate as Superintendent, Archæological Survey, Eastern Circle, until further orders.*

CENSUS.*The 4th November, 1909.*

No. 13.—Mr. E. A. Gait, C.I.E., of the Indian Civil Service, is appointed Census Commissioner for India, with effect from the 1st November 1909.

H. A. STUART,

Secretary to the Government of India.

DEPARTMENT OF REVENUE AND AGRICULTURE.**NOTIFICATIONS.****AGRICULTURE.***Simla, the 3rd November, 1909.*

No. 1179—295-7.—Mr. F. M. Howlett, B.A., Second Imperial Entomologist, Agricultural Research Institute, Pusa, is granted privilege leave for one month and twenty-nine days under Articles 246 and 260 of the Civil Service Regulations and in continuation, leave on medical certificate for five months and eleven days, under Articles 233 and 311 (b) of the same Regulations, with effect from the 9th September 1909.

FORESTS.

The 3rd November, 1909.

No. 1184—300-2-F.—On return from deputation to England, Mr. B. O. Coventry, Deputy Conservator of Forests, Punjab, is appointed to be Imperial Forest Chemist at the Imperial Forest Research Institute and College, Dehra Dun, with effect from the forenoon of the 24th October 1909.

R. W. CARLYLE,

Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATIONS.

Simla, the 1st November, 1909.

No. 3690-Est.-A.—Mr. H. R. C. Dobbs, C.I.E., a Political Agent of the 2nd class, is posted as Political Agent and Deputy Commissioner, Sibi, with effect from the 18th September, 1909.

No. 3691-Est.-A.—Major A. L. Jacob, a Political Agent of the 4th class, is posted as Assistant Political Agent and Assistant Commissioner, Sibi, with effect from the 19th September, 1909.

The 2nd November, 1909.

No. 3695-Est.-A.—Captain W. R. Battye, Indian Medical Service (Bombay), an Agency Surgeon of the 2nd class, is posted, on return from furlough, as Plague Medical Officer, Ajmer, with effect from the 16th October, 1909.

The 4th November, 1909.

No. 3726-Est.-A.—Lieutenant C. H. Gabriel, a Political Assistant of the 3rd class, is posted as Assistant Political Agent at Chilas, with effect from the 15th October, 1909.

No. 3730-Est.-A.—Lieutenant C. T. C. Plowden, a Political Assistant of the 3rd class, is posted as Assistant Commissioner, Dera Ismail Khan, with effect from the 19th October, 1909.

S. H. BUTLER,

Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATIONS.

TELEGRAPHS.

Simla, the 1st November, 1909.

No. 8242.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (XIII of 1885), the Governor General in Council is pleased to direct that the following alteration shall be made in the rules published with the Notification of the Government of India in the Department of Commerce and Industry, No. 6975—137, dated the 16th September 1909 :—

In rule 86 for the words " State telegrams will be redirected free " the following shall be substituted :

" State telegrams addressed to Officers of Government, either by official designation or name, and Private telegrams addressed to such officers by official designation only, will be redirected free."

CUSTOMS ESTABLISHMENT.

The 1st November, 1909.

No. 8255—3.—The following reversions of officers in the Imperial Customs Service are notified, with effect from the 26th October 1909 :

Name.	From	To
Mr. W. D. R. Prentice, I.C.S. ...	Collector, Class II, officiating ...	Collector, Class III, officiating.
Mr. R. F. L. Whitty, I.C.S. ...	Collector, Class III, officiating ...	Assistant Collector, Class I, officiating.
Mr. E. G. F. Abraham, I.C.S. ...	Assistant Collector, Class I, officiating.	Assistant Collector, Class II, officiating.

B. ROBERTSON,

Secretary to the Government of India.

ARMY DEPARTMENT.

Simla, the 5th November 1909.

APPOINTMENTS.

CANTONMENT MAGISTRATES' DEPARTMENT.

No. 1005.—The services of Major J. W. H. Lyon, Indian Army, are placed at the disposal of the Government of the Punjab for employment as a Cantonment Magistrate.

INDIAN ARMY.

No. 1006.—The undermentioned officer is admitted to the Indian Army in the rank of Lieutenant, with effect from the date specified, subject to confirmation by the Secretary of State for India :—

Captain Andrew Samuel Kirkwood, The Royal Irish Rifles, Supply and Transport Officer, 5th Class,—2nd November 1909.

ORDNANCE DEPARTMENT.

No. 1007.—The Governor-General in Council is pleased to gazette the appointment of the undermentioned officer :—

Mr. Charles William Harry Penwarden, Manager, Gun Carriage Factory, Jubbulpore,

PROMOTIONS.

INDIAN ARMY.

No. 1008.—The following promotion is made, subject to His Majesty's approval :—

Lieutenant to be Captain.

5th July 1908.

Andrew Samuel Kirkwood, Supply and Transport Corps.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

HOSPITAL ASSISTANT BRANCH.

Bengal Establishment.

No. 1009.—2nd Class Senior Hospital Assistant, ranking as Jemadar, Abdul Ghaffar Khán (E), to be Senior Hospital Assistant, 1st Class, ranking as Subadar ;

(E) Passed in English.

No. 618, 1st Class Hospital Assistant (Supernumerary 2nd Class Senior Hospital Assistant, ranking as Jemadar) Ajaib Singh (E) is absorbed in the grade of Senior Hospital Assistant, 2nd Class, ranking as Jemadar ;
vice 1st Class Senior Hospital Assistant, ranking as Subadar, Kiyam-ud-din, retired ; with effect from the 10th October 1909.

(E) Passed in English.

ORDNANCE DEPARTMENT.

NORTHERN CIRCLE.

No. 1010.—Store-Sergeant George Thorne to be Sub-Conductor ; *vice* Sub-Conductor Samuel Hiley, transferred to the pension establishment ; with effect from the 3rd September 1909.

NATIVE ARMY.

APPOINTMENTS AND PROMOTIONS.

No. 1011.—Subject to His Majesty's approval, the honorary rank of Captain is conferred, on retirement, on Subadar-Major Zargun Shah, *Sardar Bahadur*, 55th Coke's Rifles (Frontier Force). Dated the 30th October 1909.

PENSIONS.

WARRANT OFFICERS.

No. 1012.—The undermentioned warrant officer has been transferred to the pension establishment ; with effect from the date specified :—

Sub-Conductor Arthur Mede Bentall, India Miscellaneous List ; with effect from the 1st October 1909.

RESIGNATIONS.

INDIAN SUBORDINATE MEDICAL DEPARTMENT.

ASSISTANT SURGEON BRANCH.

No. 1013.—4th Class Assistant Surgeon Eric Edward Doyle is permitted to resign the service ; with effect from the 10th November 1909.

RETIREMENTS.

INDIAN MEDICAL SERVICE.

No. 1014.—Lieutenant-Colonel Arthur Thomas Bown, Indian Medical Service, Bengal, has been permitted by the Secretary of State for India, to retire from the service, subject to His Majesty's approval ; with effect from the 14th December 1909.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

Mussoorie Volunteer Rifles.

No. 1015.—Edward McKeon Fullam to be Second-Lieutenant, to fill an existing vacancy. Dated 6th October 1909.

MEDALS AND DECORATIONS.

No. 1016.—His Excellency the Governor-General of India is pleased to confer the Volunteer Officers' Decoration upon the undermentioned officer :—

1st Battalion, Great Indian Peninsula Railway Volunteer Rifle Corps.

Captain Julius Preston Mackeson.

CANTONMENTS.

REGULATIONS.

No. 1017.—In exercise of the powers conferred by section 26, clause (20), and section 27 of the Cantonments Act, 1889 (XIII of 1889), the Governor-General in Council is pleased to cancel the rules for licensing, controlling and regulating the practice of brokers, measurers and weighmen, in the Cantonment of Kamptee, which were published in the (late) Military Department Notification No. 959, dated the 3rd November 1905.

No. 1018.—In exercise of the powers conferred by sections 25 and 26 of the Cantonments Act, 1889 (XIII of 1889), and in modification of the notification of the Government of India in the (late) Military Department No. 664, dated the 16th June 1899, as subsequently amended, the Governor-General in Council is pleased to direct that the following amendment shall be made in the Cantonment Code, 1899, namely :—

In section 167, the second proviso shall be omitted and in the two subsequent provisos for the words "thirdly" and "fourthly," the words "secondly" and "thirdly" shall be substituted.

No. 1019.—The following draft notification, which it is proposed to issue in exercise of the powers conferred by section 26, clause (20), and section 27 of the Cantonments Act, 1889 (XIII of 1889), is published, as required by section 27, sub-section (1) of the said Act, for the information of persons likely to be affected thereby and notice is hereby given that the draft will be taken into consideration by the Governor-General in Council on or after the 6th December 1909.

Any objection or suggestion received from any person with respect to the draft before the date fixed aforesaid, will be considered by the Governor-General in Council.

Draft Notification.

In exercise of the powers conferred by section 26, clause (20), and section 27 of the Cantonments Act, 1889 (XIII of 1889), the Governor-General in Council is pleased to cancel the rules for licensing, controlling and regulating the practice of brokers, measurers and weighmen, in the Cantonments of Saugor and Pachmari, which were published in Army Department Notifications Nos. 177 and 243, dated respectively, the 1st March 1907 and the 10th April 1908.

R. I. SCALLON, *Major-General,*

Secretary to the Government of India.

RAILWAY DEPARTMENT.
(RAILWAY BOARD.)

NOTIFICATIONS.

Simla, the 2nd November, 1909.

No. 333.—Major R. S. Muter, R.E., Executive Engineer, State Railways, whose services are lent to the Bombay, Baroda and Central India Railway Company, is granted privilege leave for three months combined with furlough for twelve months under Articles 233, 260 and 308 (b) of the Civil Service Regulations, with effect from the 1st November 1909.

The 4th November, 1909.

No. 335.—Mr. G. Deuchars, Superintending Engineer, is, on return from leave, re-appointed Government Inspector of Railways, Circle No. 4, Lahore.

No. 336.—With reference to Notification No. 335, dated 4th November 1909, Mr. C. D. Wilson, Officiating Government Inspector of Railways, Circle No. 4, is on relief by Mr. Deuchars, appointed Junior Government Inspector of Railways, Circle No. 6.

No. 337.—With reference to Notification No. 336, dated 4th November 1909, Mr. W. H. K. Howard, Junior Government Inspector of Railways, Circle No. 6, is, on relief by Mr. Wilson, appointed Junior Government Inspector of Railways, Circle No. 5.

No. 338.—Mr. C. F. Sykes, Superintending Engineer, State Railways, (on leave) is permitted to retire from the service of Government under Article 465 of the Civil Service Regulations, with effect from the 18th December 1909.

No. 339.—With reference to Railway Board Notification No. 230, dated the 6th August 1909, Mr. G. S. Barnard, Officiating District Traffic Superintendent, North Western Railway, reverted to his appointment of officiating Assistant Traffic Superintendent, with effect from the 10th September 1909.

No. 340.—With reference to Railway Board Notification No. 339, dated the 4th November 1909, Mr. N. A. Todd, officiating Assistant Traffic Superintendent, North Western Railway, reverted to his substantive appointment of Traffic Inspector, with effect from the 10th September 1909.

No. 341.—Mr. L. E. Brock, Assistant Locomotive Superintendent, North Western Railway, in Class III, grade 4, of the Superior Revenue Establishment of State Railways, is promoted to Class III, grade 3, of that establishment, with effect from the 14th October 1909.

The 5th November, 1909.

No. 342.—Mr. C. N. D. Inglis, Assistant Locomotive Superintendent in Class III, grade 1, of the Superior Revenue Establishment of State Railways, (on leave) is transferred from the Oudh and Rohilkhand Railway to the Eastern Bengal State Railway.

No. 343.—With reference to Railway Board Notification No. 342, dated the 5th November 1909, Mr. T. W. E. S. Wrench, Assistant Locomotive Superintendent in Class III, grade 1, permanent, and class II, grade 4, temporary, of the Superior Revenue Establishment of State Railways, is transferred from the North Western Railway to the Oudh and Rohilkhand Railway in his substantive capacity.

No. 344.—Mr. Arthur Cyril Vining is, appointed by His Majesty's Secretary of State for India, Assistant Traffic Superintendent, in Class III, grade 4, of the Superior Revenue Establishment of State Railways, and posted to the Eastern Bengal State Railway.

The 3rd November, 1909.

No. 334.—The following is published for general information :

No. 1933-R.T., dated the 26th October 1909.

RESOLUTION—By the Railway Board.

Addendum to rule 71, sub-rule (1) (a), Chapter III, Part I of the General Rules of 1906 for working open lines of railway.

READ—

Section 47 of the Indian Railways Act, 1890 (IX of 1890).

Government of India, Department of Commerce and Industry, notification No. 801, dated the 24th March 1905.

Railway Board's notification No. 183, dated the 8th September 1906, and Railway Board's circular No. R.T. $\frac{89-A}{5}$, dated the 8th September 1906.

Railway Board's notification No. 20, dated the 30th January 1907, and Railway Board's resolution No. R.T. $\frac{121-A}{5}$, dated the 29th January 1907.

Railway Board's notification No. 97, dated the 24th April 1907, and Railway Board's resolution No. 35-R.T., dated the 17th April 1907.

Railway Board's notification No. 135, dated the 6th June 1907, and Railway Board's resolution No. 330-R.T., dated the 30th May 1907.

Railway Board's notification No. 141, dated the 11th June 1907, and Railway Board's resolution No. 346-R.T., dated the 1st June 1907.

Railway Board's notification No. 150, dated the 18th June 1907, and Railway Board's resolution No. 383-R.T., dated the 10th June 1907.

Railway Board's notification No. 172, dated the 15th July 1907, and Railway Board's resolution No. 585-R.T., dated the 9th July 1907.

Railway Board's notification No. 214, dated the 10th September 1907, and Railway Board's resolution No. 966-R.T., dated the 6th September 1907.

Railway Board's notification No. 157, dated the 27th May 1908, and Railway Board's resolution No. 903-R.T., dated the 22nd May 1908.

READ ALSO—

Letter No. 4604, dated the 7th October 1909, from the Secretary, Indian Railway Conference Association.

RESOLUTION.—The Committee of Locomotive and Carriage Superintendents of the Indian Railway Conference Association having had under consideration the question of the minimum number of head-lights necessary on every engine to allow a sufficient margin of safety to provide against accidental total extinguishment, are of opinion that at least two head-lights in the direction of running are necessary. They, however, recognise that it should be optional for any particular Railway Administration to arrange for more than this number being carried if found desirable. The Indian Railway Conference Association have accordingly submitted a proposal for the revision of rule 71, sub-rule (1) (a), Chapter III, Part I of the General Rules of 1906 for working open lines of railway with which the Railway Board agree.

2. In exercise, therefore, of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, read in the preamble above, the Railway Board sanction, under section 47, sub-sections (1) and (4), of the Indian Railways Act, 1890 (IX of 1890), as in force in British India or as locally applied, the adoption, by the administrations of all lines of railway administered by the Government, of the addendum specified in the annexure hereto in the General Rules for working open lines of railway which were promulgated with Railway Board's Circular No. R. T. $\frac{89-A}{5}$, dated the 8th September 1906.

3. The administrations of the several railways not administered by Government, noted on the margin, having applied for the adoption of the addendum, cited in paragraph 2 above, to the General Rules of 1906 for working open lines of railway, which rules were sanctioned for adoption on such portions of each of the

- (1) Bengal-Nagpur Railway.
- (2) Bombay, Baroda and Central India Railway.
- (3) East Indian Railway.
- (4) Great Indian Peninsula Railway.
- (5) Jodhpur-Bikaner Railway.
- (6) Madras and Southern Mahratta Railway.
- (7) South Indian Railway.

marginally noted railways as are situate in British territory, respectively, in the following Railway Board's resolutions :—

- (1) No. 585-R. T., dated 9th July 1907,
- (2) No. 383-R. T., dated 10th June 1907,
- (3) No. 35-R. T., dated 17th April 1907,
- (4) No. R. T. $\frac{121-A}{5}$, dated 29th January 1907,
- (5) No. 966-R. T., dated 6th September 1907,
- (6) No. 330-R. T., dated 30th May 1907, and No. 346-R. T., dated 1st June 1907,
- (7) No. 903-R. T., dated 22nd May 1908,

read in the preamble above, the Railway Board, in exercise of the powers conferred by the notification of the Government of India in the Department of Commerce and Industry, No. 801, dated the 24th March 1905, read in the preamble above, also sanction, under section 47, sub-sections (1) and (4), of the Indian Railways Act, 1890 (IX of 1890), the adoption of the addendum cited in paragraph 2 above, on such portions of each of the railways noted on the margin of this paragraph as are situate in British territory.

4. The Railway Board also desire that the administrations of the several railways not administered by Government which have not applied, will submit

formal application for the adoption of the said addendum on their respective lines.

ORDER.—Ordered that this circular, with the accompanying addendum,

The Governments of Bengal, the United Provinces, and Eastern Bengal and Assam, Public Works Department.

The Government of Bengal, Marine Department.

The Secretary to the Honourable the Agent to the Governor General for Rajputana, Public Works Department.

The Agents, Assam-Bengal, Barsi Light, Bengal and North-Western, Bengal-Nagpur, Bombay, Baroda and Central India, Burma, East Indian, Great Indian Peninsula, Madras and Southern Mahratta, Rohilkhand and Kumaon and South Indian Railway Companies.

The Agent and Manager, His Highness the Nizam's Guaranteed State Railways Company (through the Honourable the Resident at Hyderabad).

The Managers and Engineers-in-Chief, Bengal Doars, and Bhavnagar-Gondal-Junagad-Portbandar Railways.

The Manager and Executive Engineer, Morvi Railway.

The Chief Engineer, Cutch State Railway.

The Managers, North-Western, Oudh and Rohilkhand and Eastern Bengal (State) Railways.

be published under a notification in Part I of the *Gazette of India*, as required by section 47, sub-section (3), of the Indian Railways Act, 1890 (IX of 1890), and that a copy of the amended General Rule be kept open for inspection at railway stations as directed by sub-

section (6) of the same section ; also that a copy of this circular and of its enclosure be communicated to the Local Governments and Administration and to the Officers noted on the margin, for information and necessary action, and to the Senior Government Inspectors of Railways, Circles Nos. 1 to 7, and the Secretary, Indian Railway Conference Association, for information.

[Enclosure to Government of India, Railway Department (Railway Board), circular No. 1933 R.T., dated the 26th October 1909.]

Addendum to rule 71, sub-rule (1) (a), Chapter III, Part I of the General Rules for working open lines of railway promulgated with Railway Board's circular No. R.T. $\frac{89-A}{5}$, dated the 8th September 1906.

Rule 71.—*After the words the head-lights in the first line of (a) of sub-rule (1) insert the words (at least two in number.)*

R. C. F. VOLKERS,

Secretary, Railway Board.



The Gazette of India.

PUBLISHED BY AUTHORITY.

No. 46.} CALCUTTA, SATURDAY, NOVEMBER 13, 1909.

Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

	PAGES		PAGES
PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations	1107—1162	PART III.—Advertisements and Notices by Private Individuals and Corporations	97—98
PART II.—Notifications by Comptroller General, Department of Commerce and Industry, Paper Currency Department, Bank of Bengal, Agent to the Governor General and Chief Commissioner in Baluchistan, Agent to the Governor-General, North-West Frontier Province, Administrator General of Bengal, High Court, Survey of India Department, Indian Museum, State Railways, Calcutta University, Post Office, Telegraph Department, Official Advertisements	1723—1765	SUPPLEMENT No. 46— Rainfall Summary for the seven days ending at 8 hrs., Thursday, the 11th November 1909, based on the Indian Daily Weather Reports of the period Season and Crop Prospects for the week ending Saturday, the 6th November 1909 Indian Customs Revenue Statement of plague seizures and deaths reported in India during week ending the 6th November 1909	2347—2349 2350—2352 2353 2354—2361

PART I.

Government of India Notifications, Appointments, Promotions, etc.

HOME DEPARTMENT.

NOTIFICATIONS.

PUBLIC.

Calcutta, the 6th November 1909.

No. 4174.—Under the provisions of section 9 of the Statute 24 and 25 Vict., Cap. 67, the Governor General in Council is pleased to direct that His Excellency's Council shall assemble at Calcutta in the jurisdiction of the Lieutenant-Governor of Bengal.

MEDICAL.

The 10th November 1909.

No. 1353.—Captain R. E. Lloyd, I.M.S., is appointed to act as Professor of Biology in the Medical College, Calcutta, with effect from the 1st May 1909.

(1107)

SANITARY—PLAGUE.

Simla, the 5th November 1909.

No. 1844.—Whereas the Governor General in Council is satisfied that the Ajmer City is visited by a severe outbreak of dangerous epidemic disease and that there is a danger of its spread, if pilgrims or other persons from the Bombay Presidency (including Sind), the United Provinces, the Punjab, the Central Provinces (including Berar), the Hyderabad State, Central India and the Jaipur, Mewar and Tonk States in Rajputana are permitted to assemble at or near Ajmer on the occasion of the ensuing Pushkar fair.

In exercise of the power conferred by section 2, sub-section (1) of Epidemic Diseases Act, 1897 (III of 1897), the Governor General in Council is pleased to direct that no tickets to travel by railway to the stations of Ajmer, Tabiji, Saradhna, Mangaliawas, Madar, Ladpura, Akhri, Kharwa, Beawar, Sendra, Hatundi, Nasirabad, Bandanwara, Singawal and Barl on the Rajputana-Malwa Railway shall be sold from the 7th to the 30th November 1909 (both days inclusive) within the Bombay Presidency (including Sind), the United Provinces, the Punjab, the Central Provinces (including Berar), the Hyderabad State, Central India and the Jaipur, Mewar and Tonk States in Rajputana to any pilgrim or other person intending or believed to be intending to proceed on pilgrimage to the Pushkar fair.

ECCLESIASTICAL.

The 6th November 1909.

No. 465.—The rules providing (I) for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay; (II) for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India; (III) for the levy of other ecclesiastical fees throughout India; (IV) for the erection, repair and endowment of monuments in Government cemeteries throughout India, except in the Madras Presidency and in the town and suburbs of Calcutta; and (V) for the regulation of grants for the building of churches; the supply of church furniture; and for the payment of compensation for accommodation provided for soldiers in churches neither belonging to, nor rented by Government, have been revised and consolidated and are published for general information and guidance:—

PART I.

Rules for the care and use of Government cemeteries throughout India, except those in the presidency town of the diocese of Calcutta and the presidency town of the diocese of Bombay.

CHARGE OF THE CEMETERY.

RULE 1.—(1) The resident chaplain of a station has charge of the general cemetery, and frames an estimate of the expenditure connected therewith in accordance with the directions contained in paragraph 1 of the Home Department *

* Appendix A.

Resolution nos. 6—370-382, dated 9th November 1876.

(2) The term "resident chaplain" includes a clergyman of the Additional Clergy Society so far as concerns the stations to which he stands appointed, or other clergyman of the Church of England placed in charge by the Bishop.

(3) Where there are lay trustees or a church committee they will have the same powers and responsibilities in regard to the cemetery as in regard to the church. At stations where there are no trustees or committee, if there is no resident chaplain or during the temporary absence of the chaplain, the charge of the cemetery belongs to the chief magistrate on the spot, or the senior military officer if the cemetery is attached to a military cantonment.

(4) At out-stations where there is a church committee the charge of the cemetery will belong to the senior member of the committee, provided that, if the station does not contain a church which is the property of the Government, the appointment of the senior member of the committee to hold charge of the cemetery will be subject to the approval of the Bishop or Archdeacon who may, if he consider it advisable, appoint some other person to the charge. At out-stations where there is no church committee the charge of the cemetery will belong to such person as may be nominated thereto from time to time by the Magistrate or Deputy Commissioner of the district, but subject to the control of such Magistrate or Deputy Commissioner.

(5) All projects for original works in connection with cemeteries attached to Government churches in civil stations which require the administrative approval of the Government of India, should, under the Home Department orders nos. 49—65, dated the 5th February 1907, be submitted by the ecclesiastical authorities to the local Government, which after examining them will transmit them, with any remarks that it may desire to offer, to the Government of India in the Home Department for consideration. All proposals relating to the construction or alteration of cemeteries attached to Government churches in cantonments should under the Home Department orders nos. 58—71, dated the 18th February 1909, be submitted by the ecclesiastical authorities to the General Officer Commanding the Division or Independent Brigade within whose jurisdiction the cantonment is situated, who will forward them to the Quartermaster-General in India. The Quartermaster-General after satisfying himself of the necessity for the work proposed will, when the work is to be carried out by the Military Works Services, request the Director-General of Military Works to instruct his subordinate officers to forward the proposals, together with approximate estimates of their cost and the reports of the local military officers, to the local Government, which should then submit them for the consideration of the Home Department. When the work is to be carried out by the Public Works Department the Quartermaster-General will request the General Officer Commanding concerned to forward the proposals to the local Government which, after examination, will transmit them, with any remarks it may desire to offer, to the Government of India in the Home Department for consideration. Proposals in connection with cemeteries attached to Government churches in railway colonies should be submitted by the managers or agents of the railways concerned to the Railway Board for consideration. Projects for original works in connection with cemeteries other than those attached to Government churches will be dealt with under the orders of the local Government.

RULE 2.—Each cemetery is allowed a mali-chaukidar or chaukidars in accordance with the scale prescribed in paragraph 2 of the Home Department Resolution* nos. 6—370-382, dated 9th November 1876. These chaukidars are

*Appendix A.

paid by Government through the resident chaplain, by whom they are appointed and dismissed. In stations where there is no resident chaplain, the chaukidars are paid, appointed, and dismissed by the other officers named in rule 1. House accommodation for cemetery chaukidars may be provided at the cost of the State.

RULE 3.—Every reasonable effort should be made by the resident chaplain or other officer in charge under rule 1, not only to keep the cemetery in decent order, but to preserve its character as the resting-place of the remains of departed friends by providing for the necessary repairs and by planting the ground with suitable trees.

NOTE.—Expenditure under this rule will be met in the manner indicated in paragraph 1 of the Home Department Resolution † nos. 6—370-382, dated 9th November 1876.

† Appendix A.

RULE 4.—The chaukidar will keep the key of the cemetery under the direction of the officer in charge.

RULE 5.—The officer who has charge of the cemetery under the operation of rule 1 will perform all the duties assigned to the chaplain by rules 7, 8, 9, 10, 11, and 12, with the exception of the approval of designs of tombstones and of inscriptions to be cut on them. In the case of a tombstone in that part of the cemetery which is reserved for the Church of England, the proposed design and inscription must be forwarded to the resident or visiting chaplain, or, if there be none, to the Archdeacon, no action being taken to erect the monument till his sanction has been obtained. In all other cases the design and inscription must be approved by the minister of the particular denomination to which the deceased belonged. Should there be no resident or visiting minister of that denomination, the inscription and design must be approved by the senior minister belonging to it in the province, or, if there be none, then by the local Government or Administration. Should a design or inscription be disapproved, it may be referred, if those who are interested desire this, through the ecclesiastical superior of the denomination concerned, to the local Govern-

ment or Administration for decision. (*Vide* rules 14 to 21 and Part IV of these rules).

PERSONS WHO MAY CONDUCT INTERMENTS.

RULE 6.—(1) The chaplain will bury Christians of all denominations whose friends desire his services, as laid down in the orders of the Government of India in the Home Department,* no. 159, dated the 6th June 1877, using always the service of the Church of England and the consecrated portion of the cemetery.

* Appendix B.

(2) A portion of every cemetery will be set apart by the orders of Government for the use of Roman Catholic congregations, and another portion will be appropriated for the joint use of other Christians whose friends desire that they should be interred otherwise than according to the ritual of either the Church of England or of the Church of Rome, or who cannot legally be so interred.

(3) The unconsecrated portions thus set apart are not to be fenced or walled off from the rest of the cemetery, but simply divided off by a pathway, and they must be added to the existing cemetery or reserved from it. If the existing cemetery be large enough for the wants of the whole Christian community, such portions will be reserved without reference to the fact that the whole enclosure has or has not been consecrated according to the rites of the Church of England. If the cemetery be only large enough for the wants of Christians desiring to be buried with the service of the Church of England such portions will be added. The whole cemetery thus divided is to be surrounded by a wall, to have but one gate of entrance, and to be under the care of the officer specified in rule 1.

RULE 7.—(1) Ministers of all denominations have a right to conduct the service of burial over the body of any deceased member of their respective congregations, who may be buried in any fitting portion of the ground set apart for the denomination to which the deceased belonged. At least six hours' previous notice of the burial should be given by the chaplain or minister of the denomination to which the deceased belonged or, in his absence from the station, by the friends of the deceased, to the chaplain in charge of the burial ground, or, in the absence of the chaplain, to the officer who may be in current charge. The chaplain or officer in current charge of the cemetery should, on receipt of the notice, give the conducting chaplain or minister, or, in his absence, the friends of the deceased, a certificate as to the hour when the funeral may take place. The period herein prescribed may, for special reasons, be shortened, with the permission of the chaplain or officer in charge of the cemetery. Such chaplain or officer will, if he thinks the circumstances of the case demand it, bring the facts to the notice of the local magisterial authorities in time to admit of an order stopping the burial being passed if necessary.

NOTE.—The provisions laid down in this rule apply only to civil funerals. Military funerals are regulated by the orders laid down in Army form A 27.

(2) In the cases in which the deceased was in the military or civil employment of Government and the death occurred in a military station it is the duty of the officer commanding the corps or head of the department concerned to inform the minister of the denomination to which the deceased belonged, of the hour at which the funeral may be expected at the cemetery. This report is to be in addition to that required by rule 7 (1).

(3) A certificate of burial drawn up according to the required form must be sent to the chaplain or to the Registrar of births, marriages, and deaths, to be entered in the register kept up by him. The officer commanding the station or regiment or the local head of the department with which the deceased was connected is responsible for the submission of the certificate.

RULE 8.—(1) No burial can, as a general rule, take place in that part of a Government cemetery which has been set apart for the use of members of the Church of England unless the service prescribed by that Church is read by the chaplain, if there be one, or, in his absence, by the layman who officiates at the funeral. But a person may be interred in the other portions of a Government cemetery with or without the use of any services of religion.

(2) Where in that part of a Government cemetery which has been set apart for the use of members of the Church of England there is a family vault

or grave, or a reserved plot of ground purchased by a member of the family, or a masonry grave prepared in immediate contiguity to such family vault or grave or reserved plot, any deceased member of a family may, if the relative, friend, or legal representative having charge of the funeral arrangements shall so desire, be interred in such family vault, grave, or reserved plot without the performance of the service for the burial of the dead according to the rites of the Church of England.

(3) The burial may take place at the option of the person having charge of the same either without any religious service or with such Christian and orderly religious service at the grave as such person shall think fit; and any person or persons who shall be thereunto invited, or be authorised by the person having charge of such burial, may conduct such service or take part in any religious act thereat.

(4) Notice of any burial which it is intended to conduct under the provisions of clauses (2) and (3) shall be given to the chaplain or other officer in charge of the burial-ground in the manner prescribed by rule 7.

ARRANGEMENTS FOR BURYING.

RULE 9.—Where there is a resident chaplain he is responsible for the arrangements for digging a grave and shall ordinarily arrange for the preparation of a coffin. Should he find or anticipate difficulty in making private arrangements for the preparation of a coffin, he should apply in military stations to the senior military officer, and in civil stations to the chief local magistrate to make the necessary arrangements; and these officers are authorized to direct any local Public Works officer to supply all that is necessary. The local Public Works officer will usually be the Assistant Commanding Royal Engineer in military stations and the Civil Executive Engineer in civil stations; but the senior military officer in a military station and the chief local magistrate in a civil station may, in cases of emergency, direct the Civil Executive Engineer or the Assistant Commanding Royal Engineer, respectively, to make the necessary arrangements. The resident chaplain is in all such cases responsible that timely notice is given to the Government officers who may be called upon to arrange for the preparation of a coffin.

The senior military officer in a military station and the chief local magistrate in a civil station may, should the resident chaplain report that private arrangements for the preparation of coffins are not feasible, issue a general order on the Assistant Commanding Royal Engineer and the Civil Executive Engineer, respectively, to prepare coffins upon the requisition of the resident chaplain. The expenditure incurred by the Executive Engineer will be held in his miscellaneous advance account till repaid by the officer under whose special or general order it was incurred.

During the absence of the resident chaplain from the station the senior military officer in a military station and the chief local magistrate in a civil station shall be responsible for the arrangements for digging graves and preparing coffins.

NOTE.—The expenses incurred in connection with the burial of paupers who die within cantonment limits will be defrayed from cantonment funds under the authority of section 29 (1) (2) of the Cantonment Code. In the case of paupers who die out of cantonment limits, the expenses will be defrayed by the magistrate of the district.

RULE 10.—The officer in charge of the cemetery shall keep a plan of the entire cemetery to be provided by the Public Works Department or Military Works Services, with references written upon it, in a book, in which the names of parties interred are recorded; this plan and book being kept with the church registers.

NOTE.—The Executive Engineer shall maintain a plan of the cemetery showing on it all the existing graves and the spaces allotted for future graves, giving them all consecutive numbers and giving plot lines also consecutive numbers when he thinks this desirable.

RULE 11.—The officer in charge of the cemetery may reserve grave space, as limited by rule 12 below, on the application of near relatives of persons already buried in the cemetery and for the burial of the persons named in the application. A double ground fee shall be levied in advance before granting any such application, and each grant shall be registered in a book to be kept

for the purpose and indicated on the plan. The ground will then be reserved for ten years. Before the expiry of that period, a fresh application should be made and a further double fee paid, failing which the ground will be resumed.

RULE 12.—The size of each grave, whether of masonry or not, is limited to 9' x 4', and the area of ground to be enclosed must not exceed 11' x 7' by external measurement.

RULE 13.—(1) All graves must be at least 6 feet in depth. Masonry graves need not be provided with floors.

(2) No body shall be buried in any vault or masonry grave provided with a permanent floor which it is intended at any after time within 14 years to re-open, unless the coffin be separately entombed in an air-tight manner by properly cemented stone or brick work, which shall never be disturbed.

(3) One body only shall be buried in a grave at one time, unless the bodies be those of members of the same family.

(4) No non-masonry grave or masonry grave unprovided with the separate air-tight compartment prescribed in clause (2) shall be re-opened within 14 years after the burial of a person above 12 years of age, or within eight years after the burial of a child under 12 years of age, unless to bury another member of the same family, in which case a layer of earth not less than one foot thick shall be left undisturbed over the previously buried coffin. If on re-opening the grave any soil is found to be offensive, such soil shall be left undisturbed.

(5) There shall never be less than three feet of earth between the topmost coffin in a grave and the surface of the ground.

ERECTION AND REPAIR OF MONUMENTS.

RULE 14.—Monuments may be erected by any interested person. The inscription before being cut and the design, when the monument is other than a simple headstone, must first be approved of as laid down in rule 5.

RULE 15.—When a grave is not of masonry the only monument ordinarily allowed over it is a simple cross or headstone on an adequate masonry foundation not exceeding 3' x 2'; and the whole structure must not stand higher than 3' from the ground level. But, with the permission of the officer in charge of the cemetery, a monument, such as may be erected over a masonry grave, may be placed over a non-masonry grave when adequate masonry foundations are provided on which the monument may rest.

RULE 16.—No monument, of whatever material constructed, shall exceed 8' x 4' at the base without the previous sanction of the local Government.

RULE 17.—No monument of masonry shall stand higher than 3 feet from the ground level.

RULE 18.—No cenotaph shall be more than 6 feet square at the base.

RULE 19.—The enclosure of ground round a grave must be by a metal railing, or by chains or bars of metal supported on masonry or metal pillars. Wooden or masonry enclosures are not permitted. The previous sanction of the Archdeacon, or, in his absence, of the Bishop, is necessary to the enclosure of a non-masonry grave: and no such sanction will be given unless the fee required by rule 1 of Part II has been paid.

RULE 20.—When a monument needs repairing, the officer in charge of the cemetery shall communicate with the friends of the deceased, or, when such communication is not possible, advertise three times in the *Gazette of India* and the *Gazette of the Province*; and if it falls into a ruinous condition and no person will undertake to restore it, the monument shall be treated at the next repairs in such manner as the officer in charge of the cemetery may decide to be necessary for the maintenance of the cemetery in decent order: provided always that any inscribed slab or tablet which formed part of it shall be placed over the grave in simple masonry or be inserted in the wall of the cemetery and shall be carefully preserved.

NOTE.—(1) This rule does not apply to monuments of historical or archaeological interest. Lists of such tombs should be obtained by local Governments and Administrations and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

(2) The cost of the advertisements in the Gazette is met by the Government.

(3) A person desiring to erect a monument over a grave is required to pay into the Treasury a sufficient sum of money to be invested in Government securities, so that the interest on it will be sufficient to cover the cost of repairs annually. The foregoing rules shall apply, *mutatis mutandis*, to railings round graves, which shall not be constructed until the requisite sum has been paid to cover the cost of repairs.

Explanation.—It is optional with a person proposing to erect a simple cross, head-stone fixed in a marble socket, or slab, over a masonry foundation not exceeding 3 feet by 2 feet, to pay the endowment fee for its maintenance and repairs. (*Vide* Part IV, rule 14.) The optional endowment fee may be paid at any time after the erection of the stone. The State will defray the cost of keeping in repair simple crosses, head-stones or slabs erected by or over the graves of British soldiers and non-commissioned officers.

[This rule applies only to the Madras Presidency. The rules regarding the repair of monuments in other parts of India except the town and suburbs of Calcutta are contained in Part IV of these rules.]

RULE 21.—All work connected with monuments must, as far as possible, be carried on outside the cemetery.

INSPECTION.

RULE 22.—The cemetery should be inspected annually by the officer who has charge of it under the operation of rule 1, in company with the executive engineer, the plan and book kept under rule 10 being also examined, and a report made to the Archdeacon, and recorded in the ecclesiastical record-book of the station, and also in the engineer's office. In stations where there is no resident chaplain and there is a difficulty in arranging for a joint inspection by the officer in charge of the cemetery and the executive engineer, the annual inspection may be made by the executive engineer alone, who will forward the report to the Archdeacon through the officer who has charge of the cemetery.

RULE 23.—(1) Commissioners of divisions should inspect cemeteries, whether closed or in use, within their respective jurisdictions, in the course of their annual tours, and should bring to the notice of the local Government any instances of cemeteries which are negligently kept, or which the officers in charge may have allowed to fall into a state of bad repair or disorder. All cemeteries are equally subject to the visitation and supervision of the Bishop and Archdeacon.

(2) Sanitary officers in cantonments are invited to inspect cemeteries within their respective cantonments and to report to local Governments any matter calling for notice.

MISCELLANEOUS.

RULE 24.—It is desirable that officers commanding regiments or detachments should be instructed to cause a report to be made to the nearest civil officer of graves dug for soldiers on the march, in order that measures may be taken for their effectual protection and preservation. These graves and all scattered Christian graves throughout the district are under the care of the local civil authorities, who should inspect them frequently and see that they are preserved in good order. Interments should, as far as practicable, be carried out in Government land.

PART II.

Rules for the levy and expenditure of fees on graves and monuments in cemeteries and churches throughout India.

RULE 1.—The following are the rates of fees chargeable :—

	R	a.	p.
(1) For every square foot of ground occupied by a grave, whether masonry or not	0	8	0

NOTES.—(1) This fee is independent of the actual charge for making a grave.

(2) By the terms *ground occupied* in this rule is meant in the case of an unenclosed grave the area actually occupied by the grave; and in the case of enclosed graves, graves with monuments or graves partly covered by monuments and partly enclosed, the area actually

occupied by the grave *plus* all additional space either enclosed or occupied by a monument.

The fee of eight annas in question is irrespective of all charges leviable under clauses (2) to (5) of this rule.

(2) For a masonry monument, per square foot	1	0	0
(3) For a cut stone or marble monument, per square foot	0	8	0

NOTE.—The lower fee of 8 annas per square foot shall be charged only if the whole structure above the ground level is made of cut stone or marble.

Provided that no fee under (2) or (3) shall be less than	5	0	0
(4) Additional fee when a cut stone or marble monument stands higher than 3 feet from the ground level	16	0	0
(5) For a headstone or cross over a non-masonry grave	5	0	0
(6) For a faculty for the erection of a monument in a church	75	0	0

NOTES.—(1) A tablet on the wall of a cemetery shall be regarded as a monument.

(2)—The term "stone or marble" does not include "slate."

(3)—The fee of R75 levied on a faculty is in all cases to be spent in charity.

(7) For a cenotaph, in addition to the ground fee, a special fee of	50	0	0
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NOTE.—If any of the persons commemorated are interred beneath a monument, it should not be classed as a cenotaph.

(8) For burial in a family vault	3	0	0
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RULE 2.—Fees are leviable over the whole cemetery, including those portions which are used by Roman Catholics and Non-conformists.

NOTES.—(1) The same rules in regard to fees apply to all graves, whether of Roman Catholics, of Non-conformists, or members of the established Church.

(2) Where a parcel of ground used for burial by a Christian community of any particular denomination other than the established Church of England forms no part of the general cemetery, but is separate from it, or where, although not so separate, it is clearly distinguishable and was not originally acquired, and has not been kept up at the expense of the State then if the community by which the ground is used so desire, the Government will give up all claim to fees on the distinct understanding that it is divested of all responsibility for the maintenance of the cemetery in proper order. On the other hand where such parcels of ground form part of a cemetery of the established Church or the general Christian community provided and maintained by the Government, no distinction can be made as to keeping up any one part of the cemetery, nor should any exemption from fees be permitted.

EXEMPTION FROM FEES IN GOVERNMENT CEMETERIES.

RULE 3.—No fee shall be levied from regimental and non-departmental warrant officers, British non-commissioned officers and soldiers for the construction of graves for, or the erection of monuments to the memory of, their wives, children, or comrades; or from their wives or children for the construction of graves for, or the erection of monuments to, such warrant officers, non-commissioned officers and soldiers; provided that the monument is a plain stone monument consisting of a simple cross or head-stone fixed in a stone or marble socket, or a slab over a masonry foundation 3' x 2' and whose total height does not exceed 3 feet above the level of the ground. No exemption shall be granted however to such persons from the fees prescribed in rule 1 (6) and (7) of these rules.

NOTES.—(1) This rule applies to regimental and non-departmental warrant officers and all British non-commissioned officers and soldiers whether in military or civil employ.

Native Christians belonging to His Majesty's army are British soldiers within the meaning of this rule.

(2) Plain stone monuments erected under this rule which are subscribed for partly by regimental or non-departmental warrant officers, non-commissioned officers and men and partly by officers are likewise exempted from the prescribed fee.

(3) Departmental warrant officers and volunteers are not exempted from payment of ecclesiastical fees.

(4) The addition of masonry borders round plain stone monuments in respect of the erection of which exemption is granted by this rule will not necessitate the levying of a fee for their erection provided that the borders are kept within reasonable limits, so that the cost of repairing the monuments is not materially increased.

RULE 4.—The Chunar pensioners being more or less under military control come under the category of soldiers, and are therefore entitled to the same exemptions as soldiers. But this ruling does not apply to other pensioners who are not similarly under military control.

RULE 5.—The chaplain may at his discretion reduce, or in cases of extreme poverty altogether remit, the fee leviable on the construction of graves, but not for the erection of monuments.

NOTE.—The Bishop on special occasions may sanction a reduction or remission of fees for the erection of monuments.

PERSONS BY WHOM FEES MAY BE COLLECTED.

RULE 6.—The chaplain or other officer in charge of a cemetery may appoint an official mason, who may be granted a monopoly of the whole or any portion of the masonry work beneath the surface within the cemetery, subject to such conditions as may be agreed upon at the time of making the appointment; and may, subject to the same conditions, discharge him at his discretion. When an official mason has been appointed, he shall be responsible for the collection and payment to the chaplain or other officer as aforesaid of the requisite fees in respect of all work executed by him. Fees in respect of all work in the cemetery must be paid in advance before the work is begun.

PERSONS TO WHOM FEES MAY BE PAID.

RULE 7.—The fees prescribed in rule 1 should be paid to the chaplain or, in the absence of the chaplain, to the officer in charge of the cemetery and remitted at once to the civil treasury, except fees for monuments in churches, which should be paid over by the chaplain to the charitable objects to which the Bishop assigns them when his faculty is issued.

CEMETERY RECEIPTS AND CHARGES.

RULE 8.—All cemetery receipts and charges are to be regulated as laid down in paragraph 4 of the Home Department resolution * nos. 6—370-382, dated the 9th November 1876.

* Appendix A.

MISCELLANEOUS.

RULE 9.—(1) A person may not purchase a portion of a Government cemetery as a burial place for himself and his family so as to have a right to fence it with a rail or fence, and thus make it the private property of himself and family. But when such rights already exist, they are not without reason to be interfered with, and special cases as they arise may require exceptional treatment. In such special cases the Archdeacon may exercise his discretion with the sanction of the local Government.

(2) All private rights must, however, cease if, for sanitary or other public reasons, the cemetery is closed against burials, or even that portion of it in which the private ground is situated; but in special cases the Archdeacon may exercise his discretion of giving permission to open a vault or masonry grave.

(3) No *kachcha* grave can be opened in any cemetery for the purpose of converting it into a masonry grave without application to the Archdeacon which must be accompanied by a certificate from the principal medical officer, that this may be done without risk to the public health.

RULE 10.—(1) When a piece of ground is granted by Government as a cemetery to a railway company for the interment of its own servants, and the company afterwards keeps it in repair and provides the necessary establishment, so that beyond the original grant of ground Government is at no expense, the collection and application of fees accruing are left to the decision of the railway company which maintains the cemetery in good order and repair.

(2) The Commissioner or the district or judicial officer, and in military stations the officer commanding should inspect such cemeteries and report to Government if they find them negligently kept.

PART III.

Rules for the levy of other ecclesiastical fees throughout India.

RULE 1.—No fees are charged for the performance of the rite of baptism or burial, or for the registration of the performance of these offices.

RULE 2.—In addition to the fee for the surrogate's license a fee of R10 shall be charged on all marriages by license, except the marriages of officers and others in the military or naval service of His Majesty.

RULE 3.—The fee for a surrogate's license shall be R50 both at the presidency towns and in the interior. No fee shall be charged on marriages by banns.

RULE 4.—When registers are searched and a copy of any entry given, a fee of one rupee shall be charged for the first year,* and four annas for every additional year over which the search may extend, as well as a fee of one rupee for the certificate. Soldiers, sailors, and non-commissioned and petty officers are exempted from payment.

The first year shall be taken to mean any one year indicated by the applicant.

NOTE.—(1) The amount of fees payable for marriages performed, and for searching registers kept in accordance with the provisions of Act XV of 1872 (The Indian Christian Marriage Act), is fixed by each local Government.

(2) The chaplain may at his discretion reduce, or altogether remit in cases of extreme poverty, the fee for searching registers.

PART IV.

Rules for the erection, repair and endowment of monuments in Government cemeteries throughout India, except in the Madras Presidency and in the town and suburbs of Calcutta.

APPLICATION FOR ERECTION OF A MONUMENT.

1.—A person desiring to erect a monument should submit to the chaplain or other officer in charge of the cemetery an application in the form A (annexed), with a working drawing of the monument drawn to scale.

2.—If the proposed monument (a) is not a single stone monument as defined in rule 6, or (b) is a single stone monument in respect of which exemption from payment of endowment fee is granted by note (1) to this rule, or (c) is a single stone monument which it is proposed to endow, the chaplain or other officer in charge of the cemetery will send on the application and the drawing with a forwarding letter (in form B annexed) to the executive engineer in charge of the cemetery. The executive engineer will examine the proposals, and, if he approves of them, will fill in the certificate below the application, examine and countersign the drawing, and return the papers to the chaplain.

If any fragile or costly work liable to receive damage is proposed, the executive engineer will not take this into consideration in entering the classification of the monument in column 7 (b) of the application, as the repair of such work cannot be undertaken by Government. The executive engineer may decline to take over any monument for the purpose of maintenance if he considers that the work is defective from a structural point of view.

If the monument is a single stone monument and is *not* to be endowed, the chaplain or other officer in charge need not forward the application to the executive engineer unless he desires his advice, but may deal with it at once in accordance with rule 3.

Notes.—(1) No endowment fee shall be levied in respect of monuments erected by British soldiers or non-commissioned officers to their wives, children or comrades, or by their wives or children to British soldiers or non-commissioned officers, provided that the monuments are simple crosses, head-stones or slabs. Native Christians belonging to His Majesty's Army are British soldiers within the meaning of this note.

(2) The addition of masonry borders round plain stone monuments in respect of which exemption from endowment fee is granted by note (1) above will not necessitate the levying of a fee, provided that the borders are kept within reasonable limits, so that the cost of repairs of the monuments is not materially increased.

(3) When a monument is to be placed over a masonry grave any portion of the masonry which projects above the ground level shall be demolished.

3.—On return of the papers, duly approved by the executive engineer, the chaplain will see that the application in form A is correctly filled in, sign the memorandum at the foot of the form and forward it with the drawing to the

Archdeacon. If the deceased belonged to some other denomination than that of the Church of England, the chaplain will obtain a certificate of approval of the design from the minister of the denomination to which the deceased belonged and forward it with the application to the Archdeacon.

4.—The Archdeacon will permit the monument to be erected or refuse to do so. If permission is given, the chaplain will advise the applicant of the sanction in form D (annexed) and instruct him to pay the amount of the endowment calculated as in rule 6 to the executive engineer, who will grant the applicant a receipt in form C (annexed).

5.—The chaplain will return the sanctioned application (with enclosures) to the executive engineer for disposal and record. On receiving adequate notice from the applicant (usually *not less* than a week) of the date and hour of erection, the executive engineer will depute a responsible subordinate to supervise the erection of the monument in accordance with the sanctioned design and specification. If it is erected to his satisfaction, the executive engineer will assume charge of the monument for future repairs by the Public Works Department and will issue to the applicant a certificate in form I that the monument has been properly erected. The chaplain will, on receipt from the executive engineer, send in April every year to the Archdeacon a list of the monuments erected and endowed during the year ending March 31st, together with the amounts of the endowment fees.

CLASSES OF MONUMENTS AND AMOUNT OF ENDOWMENT FEES

6.—For the purpose of these rules monuments are classified as follows:—

CLASS A.—*Single stone monuments*.—Monuments consisting of simple crosses or head-stones fixed in marble sockets, or of slabs, over masonry foundations not exceeding 3 feet by 2 feet, provided that their height above the level of the ground does not exceed 3 feet.

CLASS B.—*Plain and solid monuments*.—Monuments, including railings round graves, not falling in class A, which are likely to require only occasional repair.

CLASS C.—*Elaborate monuments*.—Monuments which are likely to require special attention or frequent repair.

The endowment of a monument in class A is optional, and the fee may be paid at any time, either before or after the erection of the monument. Permission will not be given to erect other monuments unless the endowment fee has been paid. The minimum fees are as follows:—

Class of monument.	ENDOWMENT FEE.		REMARKS.
	Child's monument.	Adult's monument.	
A	R 15	R 15	(¹) A child's monument covering more than 15 square feet is to be charged for as an adult's monument.
B	20 (¹), (²)	30 (²)	(²) These are minimum fees, and when they are considered insufficient such fees may be charged as the superintending engineer thinks necessary.
C	50 (¹), (²)	75 (²)	

The classification of monuments rests with the executive engineer, but any person who objects to his decision may appeal to the superintending engineer.

No addition to an existing monument in a Government cemetery will be allowed beyond mere lettering on existing slabs, head-stones or crosses, unless the whole monument is endowed.

7.—The endowment is intended to cover the expense of ordinary annual maintenance, re-lettering and repairs, but not the risk of accidents due to

floods or earthquakes or other extraordinary causes. It is open to any person to provide for extraordinary repairs by making a special endowment in addition to the ordinary endowment fixed by the executive or superintending engineer under rule 6. This special endowment must, however, be limited to the amount necessary to cover such work as the Government officers can undertake to execute.

8.—When an endowment is paid to the executive engineer in accordance with rules 4 and 6, the amount must be entered in the divisional cash book as a deposit received and paid into the treasury with a remittance note in the form G (annexed) for credit to the civil department. The executive engineer will forward the treasury officer's receipt with his monthly accounts to the examiner of accounts in support of the debit to "deposits," a note to the effect that this has been done being entered in red ink across the block foil of the remittance note.

The examiner will from these receipts maintain a register in form H (annexed) showing the endowments for each cemetery in his province. The civil account officer will credit to a head cemetery endowment fund under the major head Savings Bank Deposits—Bank Accounts all sums received on account of these endowments, but will show no details regarding the cemeteries.

After the amount has been paid into the treasury the executive engineer will enter it in the register of endowments, form E (annexed, part (I)).

Note.—A clear distinction must be maintained between (1) *ordinary* and (2) *special* endowments (*vide* rule 7) in all the documents and accounts mentioned in this rule.

9.—The executive engineer shall maintain an account of all ordinary and special endowments, form E (annexed) (Part II). A separate ledger account shall be opened in form E (annexed) (Part III) for each monument for which a special endowment exceeding Rs 25 has been made under rule 7.

Note.—The provision as to separate accounts should be applied, as far as possible, to endowments made prior to the issue of these rules.

10.—The interest calculated under rule 11 on the deposit shall be used in meeting the expenditure for the repair of those monuments for whose preservation deposits have been made. In no circumstances should the capital sum be applied to meet such expenditure, nor should the interest be separate for each monument. The interest accruing on the deposits shall form a common fund to be used exclusively for the repairs of all endowed tombs: provided that the interests on deposits for which separate accounts are opened under rule 9 shall be used exclusively for the particular monument on account of which the deposit is made.

If a monument becomes so damaged as not to admit of repair, the officer in charge of the cemetery shall communicate with the friends of the deceased or when such communication is not possible, advertise three times in the *Gazette of India* and the *Gazette of the Province*; and if no person will undertake to restore it, the monument shall be treated at the next repairs in such manner as the officer in charge of the cemetery may decide to be necessary for the maintenance of the cemetery in decent order: provided always that any inscribed slab or tablet which formed part of it shall be placed over the grave in simple masonry or be inserted in the wall of the cemetery and shall be carefully preserved.

Note.—(1) This rule does not apply to monuments of historical or archaeological interest. Lists of such tombs should be obtained by local Governments and Administrations, and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

(2) The cost of the advertisements in the *Gazette* is met by the Government.

(3) The State will defray the cost of keeping in repair monuments erected by or over the graves of British soldiers and non-commissioned officers in respect of which exemption from payment of endowment fee is granted by note (2) to rule 2 of this part.

11.—Joint estimates shall be framed in October of each year by the executive engineer and the chaplain, or other officer in charge of the cemetery, of the cost of repairs of endowed tombs, during the following official year, and the aggregate of the sums so estimated shall not exceed the estimated interest at $3\frac{1}{2}$ per cent. per annum for ordinary endowments and at 3 per cent. for special endowments made up to the 31st March preceding, *plus* the unspent balance at the end of the previous year. The executive engineer should budget annually for the grant required; such grant should be entered in a lump sum under the head "civil works" without any distinction between ordinary and special endowments.

12.—The civil account officer of each province will in his final accounts for March debit to 14—Interest, by credit to the Public Works Department the interest at $3\frac{1}{4}$ per cent. per annum for ordinary endowments and at 3 per cent. for special endowments made up to the 31st March. On receipt of the credit the examiner of public works accounts will distribute the amounts between the cemeteries of the province and advise the executive engineer concerned of the amounts so credited. On receipt of such intimation the executive engineer will credit the amount in his divisional accounts as public works revenue under the head "Interest on endowments for repairs of monuments" and then fill in the interest column in form E (Part II).

13.—Endowment funds invested in Government securities will be held in trust by the Comptroller General or the Accountant-General, Bombay (as the case may be), on behalf of the examiner of public works accounts concerned, under the rules contained in chapter II of the Civil Account Code. The interest will, on realization, be remitted to the examiner and will be credited in his accounts and distributed as provided in rule 12.

ENDOWMENT OF EXISTING MONUMENTS.

14.—When application is made for the endowment of an existing monument the above procedure should be followed as far as applicable.

15.—In order that the local Government or Administration may know that the tombs are kept in proper repair, an annual report in form F (annexed) should be forwarded as soon as possible after the close of the accounts for a financial year, by the executive engineer with respect to their condition, for each cemetery, to the examiner of public works accounts, who will consolidate the returns so received and render a general return to the local Government or Administration. The account will merely show the totals for each cemetery as taken from the executive engineer's accounts.

The reports sent to the examiner should contain remarks, both by the chaplain and executive engineer, as to the state of the tombs for which endowments have been made.

Note.—The foregoing rules are applicable to cenotaphs erected in church compounds, but the previous consent of the local Government to the construction of a cenotaph is in every case necessary.

PART V.

Rules regulating grants for the building of churches; the supply of church furniture; and for the payment of compensation for accommodation provided for soldiers in churches neither belonging to, nor rented by, Government.

RULE 1.—All State charges for churches (except those referred to in rule 21(b) (2) which are debitable to "23—Ecclesiastical") in civil, military or State railway stations are provided from Public Works funds from the ordinary grant for Imperial Works under "45—Civil Works."

RULE 2.—The provision of churches from Public Works funds is authorised under the limitations given in the following rules. All projects for original works in connection with churches in civil stations which require the administrative approval of the Government of India should, under the Home Department orders nos. 49—65, dated the 5th February 1907, be submitted by the ecclesiastical authorities to the local Government, which, after examining them, will transmit them with any remarks that it may desire to offer to the Government of India in the Home Department for consideration. All proposals relating to the construction or alteration of churches in cantonments should, under the Home Department orders nos. 58—71, dated the 18th February 1909, be submitted by the ecclesiastical authorities to the General Officer Commanding the Division or Independent Brigade within whose jurisdiction the cantonment is situated, who will forward them to the Quartermaster-General in India. The Quartermaster-General after satisfying himself of the necessity for the work proposed will, when the work is to be carried out by the Military Works Services, request the Director-General of Military

Works to instruct his subordinate officers to forward the proposals, together with approximate estimates of their cost and the reports of the local military officers, to the local Government, which should then submit them for the consideration of the Government of India in the Home Department. When the work is to be carried out by the Public Works Department the Quarter-master-General will request the General Officer Commanding concerned to forward the proposals to the local Government, which, after examination, will transmit them, with any remarks it may desire to offer, to the Government of India in the Home Department for consideration. Proposals in connection with churches in railway colonies should be submitted by the managers or agents of the railways concerned to the Railway Board for consideration.

MILITARY STATIONS.

RULE 3.—At all permanent military stations, churches will be provided by the Government for its Protestant and Roman Catholic European British-born soldiers on the scale laid down in rule 6.

NOTE.—The term "Protestant" includes members of the Church of England and of the established Church of Scotland, Presbyterians, Wesleyans, and such other denominations of Christians as may from time to time be included by the Government of India.

RULE 4.—The amount of the Government grant for a Protestant church will in no case exceed such a sum as will suffice to provide a plain substantial building of the simplest ecclesiastical design, together with such plain furniture as is essentially necessary for the proper performance of the service according to the ritual of the Church of England. It will rest with private individuals to furnish the means of imparting architectural decorations to the building should they desire to do so, and also of supplying additional furniture, including apparatus for lighting of a more costly description.

NOTE.—On no account should Government funds be utilised for the erection of a *eredos*.

RULE 5.—The same principles will regulate the grant for Roman Catholic churches.

RULE 6.—The maximum number of seats to be provided will be calculated on the following scale :—

UNIT.	Church of England, Church of Scotland, and other Protestant denominations recognised by the Government of India.	Roman Catholics.
Battalion of British Infantry	450	340
Head-quarters Wing, British Infantry	250	190
Detached Wing, British Infantry	200	150
Regiment of British Cavalry	275	210
Battery of Royal Horse or Field Artillery	70	55
Garrison Company, Royal Artillery	65	50
Mountain Battery, Royal Artillery	50	35
Heavy Field Battery, Royal Artillery	45	35
Convalescent depôts and miscellaneous detachments, per section of 100 men.	45	35

NOTE.—These numbers include soldiers' families.

RULE 7.—Any provision that may be necessary may also be made for staff officers, officers of Indian regiments, and, where no civil church exists, for European British-born subjects in the service of Government, or for railway servants in accordance with the scale and terms hereinafter prescribed for civil and railway stations respectively.

RULE 8.—As a rule, only one Protestant and one Roman Catholic church will be provided; and where the number of sittings required for the troops according to the scale above given is very large, the size of the church may be regulated so as to allow of at least one-half of the troops attending service at one time.

RULE 9.—The Government grants for churches will be calculated on the following basis. The executive engineer shall prepare a ground plan, which shall afford—

- (a) accommodation for the total congregation to be provided for according to the scale laid down in rules 6 and 7, and allowing six superficial feet per sitting;
- (b) passages, chancel, vestry, porch of such moderate dimensions as may be reasonable in each case, and verandahs where necessary;
- (c) tower or belfry, as may be required according to the dimensions general design, and locality of the building.

The maximum grant will be found by multiplying the cubic content of the approved design by a rate 15 per cent, in excess of the local rate per cubic foot for ordinary first class single-storied buildings of substantial construction, such as court-houses.

The cubic content of a building will be arrived at by multiplying the plinth areas of the different parts, such as main rooms, verandahs, tower, etc., by the heights from plinth to roof-level of these parts, and then by adding them together. In the case of a sloping roof the height will be measured to the mean height of the slope.

CIVIL STATIONS.

RULE 10.—At the chief civil station of a district, where there are at least 25 European British-born subjects (as defined in section 4 (i) of the Criminal Procedure Code, 1898), Protestants or Roman Catholics, as the case may be, in the general service of Government, and where no suitable church provision for them exists already, the Government will contribute towards church accommodation upon the following terms:—

(1) <i>Number of sittings required.</i>	(2) <i>Maximum Government grant.</i>
	R
25	2,000
50	3,500
100	5,000
150	6,000
200	7,000
250	8,000
300	9,000
350	10,500
400	12,000
For any excess over 400	R30 per seat in excess.

NOTE.—(1) When the number of seats to be provided lies between any two numbers given in the table the grant for the portion of the whole number of seats represented by the lower numerical figure in the table will be the grant shown against that figure, the rate per sitting for the excess number of seats over such lower figure being arrived at by dividing the difference between the maximum grant shown against the next higher figure and the said lower figure by the difference between the higher and lower figure. Thus for 110 seats the Government grant for 100 seats will be 5,000 and for the remaining 10 at the rate of $\frac{6,000-5,000}{150-100} = \text{R}20$ per seat.

(2) As a rule, only one Protestant and one Roman Catholic church will be provided. In the case of Protestant churches accommodation will ordinarily only be provided for the number willing to attend the Church of England service.

(3) In ascertaining the number of seats to be provided, women and children belonging to the families of European British-born subjects in the general service of Government, and pensioned soldiers and their families, may be taken into account: two children being counted as one adult.

(4) In cases of stations where abnormal rates prevail, special application may be made to the Government of India for an increase to the grant given by the State, but no grant for more than 200 sittings will be made except at seats of local Governments and Administrations, or at hill sanatoria. In the latter case, the number of European British-born subjects in Government service must exceed (without their families) 120 to warrant the grant for a church of greater accommodation than 200 sittings.

RULE 11.—No Government grant for a church in a civil station will be made until private subscriptions have been obtained, and then the grant will not exceed double the amount thus actually realised, the maximum figure in column 2 of the table above being in any case the extreme limit of the grant towards the scale of accommodation which stands opposite in column 1. And in no case will the Government grant be allowed until these contributions, together with the grant, amount to the estimated cost of the church.

RAILWAY STATIONS.

RULE 12.—Whenever there are, at any State railway station or depôt, so situated that other church accommodation does not exist or is not available with reasonable convenience, at least 25 persons in the railway service who are of European descent, pure or mixed, retaining European habits and modes of life and professing the Christian religion, whether Protestant or Catholic, churches will be provided by the Government for them in accordance with rules 4, 5 and 8; the number of sittings being calculated on the principle, *mutatis mutandis* of rule 10, notes (2) and (3), and the grant being in conformity with rule 9.

RULE 13.—Whenever such separate churches are not required, church accommodation for any such persons may be provided in the plans of any church which is about to be erected at a military or civil station; but in the case of a church at a civil station, the restrictions in rule 10, note (4), and in rule 11, shall not apply in respect of the numbers of, and grants for, such persons.

RULE 14.—In cases where a State railway station or depôt is considered by the railway administration to be likely to increase, such addition may be made to the number of sittings, calculated as above provided, as the Railway Department may, in each case, sanction.

NOTE.—Rules 12 to 14 apply only to State railways worked by the State and in other cases when the State is in the position of the employer of labour.

RULE 15.—In the case of church accommodation for servants of a railway not worked by State agency and not falling within the note to rule 14, it will be within the discretion of the Board of Directors or other duly empowered representative of the Company, with the approval of the Government of India, to provide funds for church accommodation under rules 12 to 14. In such cases the cost will be chargeable to the capital or revenue account of the railway as the circumstances of each case may suggest.

GENERAL.

RULE 16.—It is desirable, whenever such a course will not be attended by inconvenience, to combine the civil or railway with the military church of a station, the grant allowed for the church accommodation of the British troops or State railway servants before given being supplemented by a grant according to the scale shown in rules 10 and 11, or 12 to 15, as the case may be. In special cases buildings may be rented for divine service with the previous sanction of the Government of India.

RULE 17.—In addition to church accommodation as above prescribed, a house for the chaukidar or resident bearer may be provided. In cases, however, where the church is distant from the bazar, and where special grounds are shown, accommodation may be provided for other duly authorized servants; but such further accommodation will be limited to shelter for day use only. These houses should, when practicable, be adjoining to, and not within, the church compounds; but when within them, they should be erected in keeping with the other church buildings.

RULE 18.—Grants for ecclesiastical buildings will be sanctioned only by the Government of India in the Public Works Department.

RULE 19.—The scales of accommodation and expense for all churches above laid down are in no case to be exceeded without a reference to the Government of India.

RULE 20.—Church accommodation will not usually be provided at the expense of the State for non-official residents, either British-born Europeans or others, or for official residents other than British-born or State railway servants.

RULE 21.—When private contributions are combined with a Government grant towards building a church, the procedure to be adopted is as follows :—

(a) (1) Under ordinary circumstances, the amount of private contributions being known, a definite design and estimate will be prepared by the executive engineer and submitted for sanction in the usual way, the limit by which the executive engineer will be guided in his designs being the aggregate of the Government grant according to the scales given in the preceding rules, and the amount of private contributions actually realised.

(2) Before the work is commenced, the amount of the private contributions must be paid into a Government treasury, or guaranteed by sufficient security, and carried to credit of deposits in the accounts of the department.

NOTE.—In the case of a grant from the Church Building Fund for the diocese of Calcutta, a certificate instead of a cash payment in advance may be accepted, showing the amount of the contribution to be allowed. The conditions on which this certificate may be accepted are that in every case definite arrangements must be made with the local Government or Administration concerned respecting the precise date on which the contributions will be paid, and that, until the payment is made, the Government shall have a primary lien on the funds of the Society. In case of any failure in paying up the stipulated payment on due date, the privilege herein allowed is to cease.

(3) In dealing with cases of this nature, the private contribution is to be looked upon as an addition to the Government grant, instead of the money allowed from public funds being considered as grant-in-aid of private contributions, and the responsibility of officers of the Public Works Department or Military Works Services with respect to the preparation of estimates, and the construction of such buildings with reference to excess of expenditure over the estimate, will be as strictly enforced as where only public funds are expended.

NOTE.—In the case of State railways, the functions assigned in this and succeeding rules to the executive engineer will devolve on the manager.

(b) (1) In special cases, however, the Government grant for a church may, with the sanction of the Government of India, be treated as a grant-in-aid of private contributions raised for a church intended for the use of Government servants within the meaning of these rules or partly for the use of non-official residents or others for whom grants are not admissible under these rules.

(2) In such cases the plans and specifications shall be submitted to the executive engineer for the approval of the proper officers in the Public Works Department or Military Works Services, who shall sanction them on satisfying themselves that they are safe and suitable and can be executed for the estimated amount. The construction of the building may then be left to the managers or trustees of the private contributions raised, with whom must rest the responsibility for excess, if any, over the amount of this sanctioned estimate. The grant-in-aid will be paid by the civil department on the certificate of the executive engineer, *vide* rule 21 (b) (3) below, and adjusted as a civil charge under the head "23—Ecclesiastical" as stated in rule 1 above.

(3) In such cases the grant will ordinarily not be paid in full by the civil account officer until the executive engineer has certified that the building has been completed in accordance with the sanctioned plans and specifications, and the trust deed referred to in clause (4) below, where required, has been duly executed; but the executive engineer may authorize advances out of the sanctioned grant on receiving sufficient proof that the building is proceeding satisfactorily, and on the managers or trustees certifying that all subscriptions relied on in support of the application for the grant have been paid up in full or guaranteed by sufficient security.

(4) When a grant is made under clause (b) of this rule for a church intended partly for the use of non-official residents and others for whom grants are not admissible under these rules, there shall be a trust deed, duly executed by the Chief Magistrate of the district in which the church is situated and the chaplain and registered,—(1) declaring that the building is granted in trust

for church purposes only: (2) giving to Government a prior lien on the building for the recovery of the grant in the event of the former being diverted to other purposes: (3) providing for the legal ownership of the building: and (4) indicating sufficient sources for its proper maintenance.

RULE 22.—In any case in which a church is built partly from private contributions and partly from a Government grant, the Government is entitled at any time to require that a proportion of the seats in the church, not exceeding the proportion which the Government grant bears to the whole expenditure incurred in building the church, shall be reserved for troops and other Government servants who may be allowed free seats under rule 27.

NOTE.—This rule does not apply to cases in which pewage reduced by the amount of interest calculated at 4 per cent. on the Government grant towards the cost of construction is paid on account of seats used by troops.

RULE 23.—The preceding rules shall apply, as far as may be, to the enlargement of existing churches.

CHURCH FURNITURE.

RULE 24.—The supply of church furniture will be regulated by the following rules. All expenditure connected with the articles to be supplied by the Public Works Department will be provided for under the rules laid down for that purpose:—

(1) Each Protestant church, civil, railway or military (cathedrals excepted), will be supplied by the Public Works Department with the following articles of furniture, the cost of which will be allowed in addition to the grant for the building. The renewal and repair of such articles will also be provided for by the Public Works Department subject to the conditions of rule 27:—

	Maximum cost. R
(a) Appliances to seat the congregation, and to allow them to kneel in decent comfort—	
Officers, per seat	5
„ „ stool or hassock	2
Soldiers, per seat	4
„ „ stool or hassock	1
(b) Communion table, each	45
„ rails, per running foot	4
(c) Pulpit, each	200
(d) Reading desk and stool	60
(e) Font and cover	60
(f) Vestry almirah	45
„ table	12
Two vestry chairs, per pair	10
(g) Two altar chairs	24
(h) Pankahs, complete, per running foot	2
Thermantidotes when necessary, each	200
(i) Lighting apparatus, per 100 seats	100
Candlesticks for pulpits, per set	40
„ for lectern	30
„ for reading desk	30
(j) Lectern	50
(k) One bell of reasonable size to summon the congregation to church, at a cost not exceeding R300, for a first class church (<i>vis.</i> , those containing more than 400 sittings), and R200 for a second class church (<i>vis.</i> , those containing not more than 400 sittings).	
(l) Cloths or bamboo blinds for doors and windows where absolutely necessary.	} At market rates.
(m) Matting where absolutely necessary for churches with terraced floors.	

The "reading desk" should be simply a desk (however appropriately shaped), and not an enclosure, expensive from its size and occupying needless space.

(2) The civil department will provide the following articles of service on the executive engineer's certificate of the necessity of supply. The renewal and repair of such articles will also be provided for by the civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure:—

	Rs
* Suitable set of communion plate	150
A strong box to be made in India, which may be locally purchased, for the custody of the communion plate, and also for records	150
* Altar cover of red embroidered cloth	150
* Bibles and prayer-book for the clergyman	50
* Fair linen cloth and napkins for the communion service	35
* Two service books for the communion table	30

* NOTE 1.—Where the congregation choose to contribute in order to procure any of these articles (or those mentioned in clause 1) of a richer design or material, the fixed grant may, if so desired, be paid to the chaplain, and the purchase of the articles left to his and their joint discretion.

NOTE 2.—The cost of re-gilding articles of plate supplied under clause 2, rule 24, will be met by the civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure.

(3) In cathedrals of the Church of England, the renewal and repair of furniture and articles of service shall be provided out of the fixed monthly grants made by the civil department towards the maintenance of service, supplemented, if necessary, by contributions from the congregation.

(4) Each Roman Catholic church built by Government, civil, railway or military, will be supplied by the Public Works Department with the following articles of furniture, the cost of which will be allowed in addition to the grant for the building. The renewal and repair of such articles will also be provided for by the Public Works Department, subject to the conditions of rule 27:—

	Maximum cost.
	Rs
(a) One bookstand	8
(b) One almirah for altar vestments, etc., at least 4 feet long by 2 feet 5 inches broad	45
(c) Three altar chairs for officiant and assistants	36
(d) One table and three chairs for the vestry	27
(e) One font and cover	60
(f) Seats and kneeling accommodation for the congregation—	
Officers, per seat	5
" " stool	2
Soldiers, per seat	4
" " stool	1
(g) Altar table	45
(h) Communion rail, per running foot	4
(i) Pulpit, each	200
(j) Punks where required, complete, per running foot	2
(k) Thermantidotes, where necessary	200
(l) Apparatus for lighting, per 100 seats	100
(m) One bell as in (k), clause I.	
(n) Chicks or bamboo blinds for doors and windows where absolutely necessary.	
(o) Matting where absolutely necessary for churches with terraced floors.	

} At market rates.

A second altar table may be supplied to churches intended to accommodate more than 500 persons.

(5) The following articles of service will be supplied to Roman Catholic churches by the military department on the executive engineer's certificate of the necessity of original supply. The renewal and repair of such articles will also be provided for, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the

expenditure. The articles required for churches at military stations will be supplied and repaired or renewed by the military department, and those for churches at civil and State railway stations by the civil department:

	R
(1) One tabernacle, inside covered with silk	150
(2) One pyx with silver cup, inside gilt	100
(3) One chalice	100
(4) One monstrance	180
(5) Six altar candlesticks and crucifix	180
(6) Two cruets and one plate	10
(7) One altar lamp	30
(8) One missal	25
(9) Altar canons (one set of three)	8
(10) Altar vestments of silk (five sets of the five colours)	300
(11) Two copes, one white and one black, of silk	120
(12) Humeral for benediction	30
(13) Altar linen, comprising albs, altar covers, communion cloth, etc.	80

NOTE.—The cost of re-gilding articles of plate supplied under the foregoing rule will be met by the military or civil department, subject to the conditions of rule 27, and on the production of the executive engineer's certificate as to the necessity for the expenditure.

(6) Churches rented by Government or Government buildings set apart temporarily as churches, for the use of European troops or European-born subjects in the service of Government, or of State railway servants, should be supplied by the departments concerned (*vide* clauses 1, 2, 4 and 5) with such church furniture and articles of service as are absolutely necessary for the performance of divine service. The number and description of the articles to be supplied should be determined by a committee, consisting of the chaplain, the executive engineer, and the chief local magistrate. In the case of churches for troops or for State railway servants, the senior military officer, or the manager of the railway will take the place of the chief local magistrate.

The articles of furniture and service should be of the plainest description unless there is under construction by Government a church for which church furniture and articles of service would have to be supplied under clauses 1, 2, 4 and 5.

Articles supplied for use in temporary churches should be returned into store when the building ceases to be used as a church, unless they are required for supply to a permanent church built by Government.

(7) All applications for funds for the supply to Roman Catholic churches of the articles of service mentioned in clause 5 should be submitted through the Roman Catholic Bishop of the diocese in which the church is situated.

(8) The following articles of furniture will be supplied by the Public Works Department for lych-gates of Government cemeteries:—

	Maximum cost.
	R
Two benches at R9 each	18
One small table	12
Two chairs at R5 each	10
A wheeled bier	350

NOTE.—In stations where no hearse or other suitable means of conveyance are available, the use of the bier is permissible for the conveyance of the dead to the cemetery.

RULE 25.—The executive engineer will be guided, in granting the certificates alluded to in clauses 2 and 5 of rule 24, by the following principles:—

Class I, churches built by Government.—The certificate should state that the church was built by Government for the use of European troops or European British-born subjects in the service of Government, or of State railway servants, and is still maintained for the same purpose.

Class II, churches which have received building grants from Government.—The certificates should state that the church received a building grant of R—, equal to the—part of the total cost of the building, and

that the grant was made on account of European troops or European British-born subjects in the service of Government or of State railway servants, and that the building is still used by them.

For this class of churches a proportion of the standard cost of the articles of service will be sanctioned equal to the proportion of the grant-in-aid to the total cost of the building itself.

Class III, churches rented by Government and Government buildings temporarily set apart as churches.—The certificate should state that the building is wholly rented by Government or is a Government building temporarily set apart as a church for the use of European troops or European British-born subjects in the service of Government, or of State railway servants.

NOTE.—The required certificates should afford information as to when the article was originally supplied and by whom, and the reason for recommending its renewal. When, however, Government pay for the use of a certain varying number of seats in a church, the hire of the seats should include everything necessary for the performance of service.

RULE 26.—When a church, whether Protestant or Roman Catholic, is to be furnished, the executive engineer should communicate with the ecclesiastical authorities concerned with a view to afford the congregation an opportunity of furnishing the church by private subscriptions in more costly style, should they wish to do so. It is to be understood, however, that any article of furniture to which any public funds may have been applied will remain the sole property of Government, even though a portion of its cost may have been contributed by private persons. And in cases where articles of furniture are procured from England, they should be purchased through the Secretary of State in the ordinary way, with the exception of articles to which note 1. to clause (2) of rule 24 applies, which may be purchased as therein allowed.

In cases in which articles of furniture supplied wholly or in part from Government funds are considered to have become obsolete or unsuitable, though not necessarily unserviceable, they may, with the previous approval of the local Government, be sold and the sale-proceeds utilized towards the cost of replacing them, provided always that sufficient private subscriptions are forthcoming to ensure the replacement of the old articles by new ones of greater value or more appropriate design.

RULE 27.—Government will not ordinarily undertake the cost of the renewal and repair of furniture and articles of service in churches, which are not primarily intended for the accommodation of troops. Where pew rents are charged, the cost of such renewals and repairs will be met from the pew rent fund; where pew rents are not charged, it is expected that the cost will be met from contributions by private persons and members of the congregation. In churches in which a portion of the seats are actually reserved by Government for troops or other Government servants entitled to free seats, the Government will pay a share of the cost of renewals and repairs equal to the proportion which the number of seats so reserved bears to the whole number of seats in the church. Seats will be reserved by Government under this rule only for troops and military officers on duty with troops, and for such Government servants of the classes described in rule 10, and State railway servants of the classes described in rule 12, as cannot afford to pay for seats. But all Government servants (other than troops and military officers on duty with them), who are in a position to pay for seats, will be liable to be charged pew rents.

RULE 28.—In cases in which articles of furniture belonging to a Government church are stolen, an immediate enquiry should be held in view to ascertaining whether the loss was caused through the negligence of the person responsible for the custody of such furniture. In the case of Protestant churches at civil or railway stations, the enquiry should be conducted by the chaplain and the members of the church committee; and in the case of Roman Catholic churches at such stations, by the chaplain in charge and the chief civil officer of the place, or such other person or persons as the chief civil officer may nominate for that purpose. As regards Protestant and Roman Catholic churches in cantonments, the investigation should be made by a committee assembled under the orders of the officer commanding, as is the

case in respect of all other enquiries into loss of Government property, the chaplain in charge being invited either to be a member of the committee or to give evidence before it.

(2) If the result of the enquiry should be to show that the loss was occasioned by negligence on the part of the person responsible for the custody of the furniture, such person should, if possible, be required to make good the loss; or if it should appear that the loss was due to circumstances beyond the control of the responsible officer, then the Government of India will be prepared to consider an application for the replacement, at the public expense, of the articles stolen. Such application should be submitted through the ordinary channels, and should be accompanied by a full report of the enquiry.

RULE 29.—The care of church clocks is to be charged against the pew rent fund, where it exists. Where no such fund exists, the cost of maintaining the clocks will be borne by Government.

RULE 30.—The pay of chaukidars of churches will be disbursed through chaplains.

RULE 31.—Anglican and Roman Catholic churches are under the control of the Bishop of the diocese in respect to the erection of tablets, ornaments, etc., while in course of construction, as well as after completion and consecration.

OWNERSHIP AND REPAIR OF CHURCHES.

RULE 32.—All churches built under these rules, except rule 21, clause (b), shall be considered the property of Government.

As a general rule, all churches, whether Protestant or Roman Catholic, which have in past times been built by Government, are the property of Government.

Churches whether built wholly by private contributions or by such contributions jointly with State grants, which have been borne for a series of years on the books of the Public Works Department or Military Works Services and have been repaired and otherwise dealt with, unchallenged, as Government buildings, shall be deemed to be the property of Government.

Churches built wholly or in part by private contributions which have not been so borne, repaired or dealt with, but which may be taken over on behalf of Government, under sanction of competent authority, shall be brought on the books of the Public Works Department or Military Works Services as the property of Government.

RULE 33.—All churches which are the property of Government shall be in charge of the executive engineer, and shall be repaired under the ordinary rules of the Public Works Department.

In every case in which any alteration in a church belonging to Government, which affects its structure or its permanent fittings, may be desired by the chaplain or other clergy, the executive engineer must be consulted and his consent obtained in writing before the alteration is carried out.

COMPENSATION FOR ACCOMMODATION IN CHURCHES NEITHER BELONGING TO, NOR RENTED BY, GOVERNMENT.

RULE 34.—The rate of compensation for sittings for Protestant and Roman Catholic soldiers is fixed at R7 per seat per annum. Broken periods within a year shall be counted as a year; but when sittings are occupied consecutively for any period exceeding twelve months, payment will be made for the number of months in excess of the year, for which the sittings are so occupied, at the rate fixed for the year.

NOTE 1.—The payment should, as far as possible, be regulated by the official year.

NOTE 2.—When a church has been built at Government expense or with the aid of a grant from Government, the pewage otherwise admissible will be reduced by the amount of interest calculated at 4 per cent. on the sum contributed by Government towards the cost of construction.

RULE 35.—The number of sittings for which compensation is allowed will be regulated by the highest attendance at a parade service during the year of soldiers and their families (two children up to the age of 16 being counted as

one adult) actually quartered in the station, subject to the following maximum limits:—

UNIT.	Church of England, Church of Scotland and other Protestant denominations recognised by the Government of India.	Roman Catholics.
Battalion of British Infantry	450	340
Head-quarters Wing, British Infantry	250	190
Detached Wing, British Infantry	200	150
Regiment of British Cavalry	275	210
Battery of Royal Horse or Field Artillery	70	55
Garrison Company, Royal Artillery	65	50
Mountain Battery, Royal Artillery	50	35
Heavy Field Battery, Royal Artillery	45	35
Convalescent depôts and miscellaneous detachments, per section of 100 men.	45	35

NOTE.—These numbers include soldiers' families.

RULE 36.—Compensation may be charged for sittings provided for British-born commissioned and non-commissioned officers (including families) employed on the staff or with Indian regiments, in addition to the number of sittings for which compensation is admissible under rule 35.

RULE 37.—Compensation may, under the conditions of rule 34, be paid for Protestant or Roman Catholic State railway servants for whom church accommodation has not been provided by Government; the number of sittings for which compensation may be allowed being regulated by the highest attendance on any one occasion during the year of railway servants and their families (two children up to 16 being taken as one adult) who are of European descent, pure or mixed, retaining European habits and modes of life and professing the Christian religion.

RULE 38.—Local Governments and Administrations are authorised to sanction the payment of compensation for sittings on the condition that the rules are strictly observed, and that all cases in which the application of the rules is doubtful are submitted for the orders of the Government of India. Applications for compensation must be supported by a certificate from the officer commanding the station or the manager of the railway of the number of soldiers or State railway servants and their families for whom accommodation has been obtained under rules 35, 36 and 37, and by a receipt for the money paid.

RULE 39.—The outlay will appear in the departmental budget estimates and accounts under head of Civil Buildings—Repairs.

APPENDIX A.

Home Department resolution nos. 6—370-382 (Ecclesiastical), dated Simla, 9th November 1876.

Read—

The Home Department resolution nos. 314 to 318, dated 6th October 1875, appointing a committee to report upon the following matters connected with ecclesiastical administration :—

- (1) The framing of joint estimates for expenditure on cemeteries or churches by the executive engineer and clergyman in charge.
- (2) A revision of establishments for cemeteries according to their area.
- (3) The size of monument and amount of ground that may be enclosed.
- (4) Provision for planting cemeteries and preserving them in decent order.
- (5) Mode of supply of certain articles of church furniture.
- (6) The substitution of three for two classes of churches with respect to the expenditure allowed for them by Government.

Read—

The report of the committee, dated 29th October 1875.

RESOLUTION.—The report of the committee has been considered by the Governor General in Council, who desires to express to the committee his satisfaction at the result of their labours.

The following rules have been approved relative to the subjects referred to the committee for report :—

1. Churches and cemeteries have already been divided into two classes :—
(Public Works Department no. 486-A.G., dated 13th July 1874.) (1) those in stations where there are military cantonments and the military works which are under the charge of the *Director General of Military Works*, and (2) those in other military cantonments and civil stations.

In both classes of stations joint estimates* of expenditure should be framed annually by the under-mentioned officers :—

(a) In the case of all expenditure, connected with establishments, *e.g.*, pay of servants, alterations in their pay or number, etc.; also all expenditure by Government connected with the provision of articles of church furniture supplied by the civil department.

By the chief magistrate of the district and the chaplain.

(b) In the case of all expenditure connected with repairs and additions to church fabric, to church compound or cemetery walls, to cemetery gates, walks, wells, chaukidars or other church servants' houses, provision of necessary appliances for graves or for the repair of tombs or for the planting of trees and shrubs in cemeteries and keeping the same in decent order; also all expenditure by Government connected with the provision of articles of church furniture supplied by the Public Works Department.

By the executive engineer and by the chaplain.

The estimates of expenditure to be prepared by the executive engineer and the chaplain should show distinctly the probable charge under each of the following heads :—

- (I) New works connected with additions to existing churches and improvements to church compound.
- (II) New supplies of furniture for churches and sanctioned articles of church use.
- (III) New works connected with additions to existing burial-grounds.
- (IV) Repairs to churches and church furniture and maintenance of church compounds.
- (V) Repairs to burial-grounds to be executed by Public Works officers.
- (VI) Repairs to burial-grounds, including planting and cleaning, to be entrusted to the chaplain or chief civil or military officer of the station or cantonment, under paragraph 4.

It would be convenient if distinct estimates were prepared for each of these classes of expenditure.

The provision of funds to meet the charges above enumerated will be made in the budget estimate of the Public Works Department. The estimates

* The estimates should be for the financial year, and should be prepared in advance as is prescribed for other budget estimates.

NOTE.—Modifications of the original orders are shown in italics.

for the same will be subject to the scrutiny of, and be passed by, the superintending or chief engineer or local Government or Administration, according to the rules in force in the Public Works Department.

The incidence of cost of burial grounds is given in Volume I, paragraph 829, of the Public Works Department Code, and provision will accordingly be made for such charges in the Imperial or Provincial Budget Estimates as the case may be.

2. The following scale of establishments should be maintained at all cemeteries :—

- (I) For a cemetery of which the area is 5 acres or less, one mali-chaukidar ;
- (II) For a cemetery of which the area is more than 5 and less than 10 acres, one mali-chaukidar and one assistant coolie ;
- (III) For a cemetery of which the area is more than 10 and less than 15 acres, one mali-chaukidar and two assistant coolies ; and
- (IV) For a cemetery of which the area is more than 15 acres, one mali-chaukidar and three assistant coolies.

It is left to the local Governments and Administrations to determine the proper wages to be given to each servant. *The charge will be included in the Civil Budget Estimate under Imperial or Provincial as the case may be.*

* * * * *

4. No portion of the receipts from cemeteries and church compounds should be retained by any Government officer to be directly expended by himself ; all such receipts should be paid into the civil treasury to the credit of the Public Works Department *under Imperial or Provincial Public Works Revenue as the case may be.* But the amount passed upon the joint estimate framed by the executive engineer and chaplain to provide for planting a cemetery and preserving it in decent order should be entrusted to the chaplain where there is one. Where there is no resident chaplain, the amount should be placed at the disposal of the chief magistrate on the spot, or of the senior military officer if the cemetery is attached to a military cantonment. The necessary funds for the purpose will be advanced by the executive engineer concerned to the chaplain or civil or military officer. Bills for the expenditure should be rendered by the officer to whom the advance has been made, either monthly or otherwise, to the executive engineer, who will charge for the amount thereof in the usual way in his accounts. Until the bills are received and charged off, the advance will be placed in the miscellaneous advance account of the executive engineer. All planting of shrubs and trees * by private persons in cemeteries should be under the control of the chaplain if resident, otherwise under that of the magistrate or senior military officer, as the case may be. When practicable, a well should be sunk in or near every cemetery.

* * * * *

5. It should be understood that the Government cannot provide cemeteries at the public expense for native Christian communities.

NOTE.—Where their number is small the question is of little importance and is best arranged by mutual concessions or by special provisions made locally by the parties immediately concerned. And I am to suggest for His Lordship's consideration whether, if the necessity of dealing at the present time with this matter of native Christian interment be in his judgment unavoidably established, it should not be carefully examined in consultation with the several local Governments, having regard to the diverse needs and circumstances of the population in each separate province.

* * * * *

Home Department letter to the Ven'ble the Archdeacon of Calcutta, no. 110, dated the 22nd May 1883.

* In regard to churches and cemeteries situated within the limits of a military cantonment the Government of India have decided—

- (1) that the chaplain is required to obtain the permission of the officer commanding the station before ordering a tree to be cut down in a cemetery or church compound situated within the limits of a cantonment.
- (2) that the officer commanding the station may order a tree to be cut down in the cemetery or church compound without the chaplain's consent ;
- (3) that it rests with the chaplain to sell the trees cut down in the cemetery or church compound, the proceeds being paid in, as required by the standing rules, to the civil treasury to the credit of the Public Works Department ; and
- (4) that the consent of the commanding officer should be obtained in respect of all repairs or alterations over which he or the cantonment committee may exercise control under the cantonment rules and regulations, e.g., rules 13 and 26 of chapter IV.

These orders, however, do not interfere with the duty of the chaplain to see that the cemetery is kept clean of rank vegetation, shrubs, and undergrowth which are not included under the designation of trees.

Home Department letter to the Ven'ble the Archdeacon of Calcutta, no. 148, dated the 26th June 1883.

Finance Department resolution no. 2202 (Expenditure), dated Simla, the 15th August 1876.

Read certain papers relative to the reduction of minor charges on account of church establishments in India.

RESOLUTION.—After consultation with the several local Governments

First class (churches, the property of Government, containing more than 400 sittings at stations where there are European troops):—

	R
1 clerk	12
1 chaukidar-bearer	6
1 water-carrier	5
1 sweeper	4
Lighting	20
TOTAL	47 a month.

Second class (churches, the property of Government, containing less than 400 sittings at stations where there are European troops):—

	R
1 chaukidar-bearer	5
1 sweeper	4
Lighting	10
TOTAL	19 a month.

Third class (churches, the property of Government, at stations with no troops, or with only Native troops):—

	R
1 chaukidar-bearer	5

and Administrations it was decided in February 1875 to reduce the cost of church establishments in India. To carry out this decision, the scale of charges (shown in the margin) was fixed for general adoption, with the reservation that in some places somewhat higher charges might be allowed under exceptional circumstances; and that in the case of third class (non-military) churches, with fluctuating and very limited congregations, a moderate fixed allowance might be granted for lighting and sacramental elements. In accordance with this decision, the several local Governments and Administrations were requested to submit a fresh classification of military churches, and a scale of charges in accordance with the principles thus laid down.

2. After consideration of the reports called for, the Governor General in Council is pleased to pass the following orders.

3. If a clerk is now employed in any second class military church he need not be dismissed; the full reduction of the establishment must await the occurrence of a vacancy.

4. In Madras, including Mysore, but excluding Berar, there are 56

	Number of churches.
* 1st class (military)	8
2nd " " "	6
3rd " (non-military)	42
Total	56

churches* and the cost of establishments on the scale laid down by the Government of India would amount to R700 a month as against a present charge of R1,917½. The Government of Madras recommend, however, that the pay of chaukidar-bearers be fixed at R7 instead of R5

each a month; that an establishment of R47 a month be allowed to the church at Black Town; and that to five of the remaining thirty-six 3rd class non-military churches, the marginally-noted † special allowances be allowed. These proposals are approved with effect from 1st April 1877. A tabular statement showing the

	R
† 1 bearer	7
1 sweeper	5
Lighting allowance	18
Total	30 each.

financial results of the measure, and including, as a temporary charge, the pay of such clerks as are now on the establishments of the 2nd class military churches, should be forwarded for formal sanction.

5. The Government of Bombay propose (1) to raise the pay of chaukidar-bearers; (2) to allow a peon to each chaplain; (3) to retain clerks for 2nd class military churches; (4) to do away with water-carriers and sweepers, and provide for their duties from the contingent allowance of R20 a month for lighting for 1st class churches; and (5) to allow a small contingent allowance to poor 3rd class non-military churches. The tabular statement submitted by the Bombay Government also shows other variations from the standard scale fixed in 1875. The Governor General in Council regrets that he is unable to sanction peons for chaplains in Bombay; but he is pleased to sanction the

following scale for adoption in the Bombay presidency from 1st April 1877, with a request that a tabular statement showing the charges now made may be forwarded to Government for communication to the audit department :—

	1st class military churches.	2nd class military churches.	3rd class non-military churches.
1 clerk	R A	R ...	R ...
1 chaukidar-bearer	7	7	7
Contingent allowance to cover lighting, and sweepers' and water-carriers' wages.	20	10	B

A.—On the pay proposed by the Archdeacon of Bombay.

B.—A list of the poorer churches, for which a special contingent allowance is asked, should be entered in the tabular statement.

6. The proposal of the Government of Bengal in respect to the six military (1st class) churches, including the two within Fort William, for which the authorised allowance of R47 a month is considered to be sufficient, is sanctioned with effect from the 1st April 1876; R100 a month is also allowed for each

*St. John's.
Old Church.
St. James's.
St. Thomas's.

of the four (3rd class) non-military presidency churches * from 1st April 1877, for two years, subject to reconsideration at the end of that period; and an allowance

of R55 a month is sanctioned for St. Stephen's church, Kidderpore, and the church at Howrah, on the same terms. Considering the peculiar character of St. Andrew's kirk in Calcutta and its use by the military, the recommendation of the Reverend Mr. Thomson for an allowance of R100 when there are two chaplains and R185 a month when there is one, is approved from the same date. The necessity for so large an allowance as † R32 a month for the care of the clock must be further established. The entire services of a competent native artisan could probably be secured for a much smaller sum.

7. In respect to the non-military (3rd class) churches in Bengal, the Governor General in Council considers that the scale laid down in February 1875 should be more closely adhered to than is proposed by the Government of Bengal. The exceptional allowances there contemplated were intended only for churches with *fluctuating and limited congregations* and not for general adoption. The churches at Dacca, Cuttack, Berhampur, and other places do not appear to be of this class. His Excellency in Council desires, therefore, that the Government of Bengal will submit a tabular statement more in accordance with the scale laid down in February 1875, and showing the financial results of the arrangements now sanctioned for church establishments in Bengal.

8. The classification of churches, submitted by the Government of the

† 7 (1st class) military, including three Roman Catholic churches;
14 (2nd class) military, including three Roman Catholic churches; and
15 (3rd class) non-military churches.

North-Western Provinces, shows that there are 36 † churches, the proposed cost for the establishments of which is R670.

But it appears doubtful if this classification includes the Episcopalian and Presbyterian churches at Allahabad. This should now be made clear; and the church at Chunar should be ranked as a 3rd class (non-military) church, and not as a second class military church. The usual tabular statement should also be submitted showing the financial result of the charges now authorised with effect from the beginning of the next financial year.

9. There are 48 churches in the Punjab, and the cost of the establishments proposed for them is R878 a month. It is also recommended that R50 a month may be placed at the disposal of the Government of the Punjab for allotments,

† This charge was subsequently accepted by the Government of India as an ecclesiastical charge and as part of the church allowance which is given in consideration of the benefit derived by the public from the use of the clock. Letter to Government of Bengal, no. 316, dated the 27th September 1877.

when necessary, to the poorer 3rd class (non-military) churches. The proposals of the Government of the Punjab are sanctioned with effect from 1st April 1877. The usual tabular statement should be submitted.

10. There are 15 churches in the Central Provinces, the cost of the establishments of which is R205 a month. Revised establishments as shown below are sanctioned for these churches, resulting in an increase of R17 a month over the existing charge:—

	Existing cost per mensem.	Now sanctioned per mensem.
1st class church at Kamptee	R 71	R 47
Ditto at Saugor	39	47
2nd class church at Jubbulpore	38	31
Ditto at Sitabuldi, Nagpur	40	31
3rd class church at Narsingpur, Nimar, and Seoni	17	18
Ditto at 1 Chanda, 2 Wardha, 3 Bhandar, 4 Raipur, 5 Hoshangabad, 6 Damoh, 7 Betul, and 8 Chindwara . . . . .	...	48
TOTAL	205	222
	Increase	17

A.—As detailed in paragraph 1 of this resolution.

B.— Ditto plus the pay of a clerk, temporarily, as sanctioned in paragraph 3.

11. The Chief Commissioner of British Burma submits a list of church establishments in that province, and recommends "that the establishments should be restricted to the scale fixed by the Government of India; but that the rates of pay should be in accordance with those which are customary throughout Burma, where the cost of living is greatly in excess of that of India." He also recommends that an allowance of R30 a month may be granted to the Roman Catholic church at Thayetmyo. In accordance with these recommendations the establishments noted below, which are in conformity with the scale laid down in February 1875, are sanctioned for the churches in British Burma with effect from 1st April 1877:

	1st class Rangoon church.	1st class Rangoon town.	1st class Thayetmyo Protestant church.	2nd class Thayetmyo Roman Catholic church.	1st class Toungoo.	3RD CLASS.				TOTAL.
	R	R	R	R	R	Bassein.	Moulmein.	Akyab.	Kyaukse-phyoo.	R
1 clerk	12	12	12	...	12	...	...	...	...	48
1 chaukidar-bearer	10	10	10	10	10	10	10	8	8	86
1 water-carrier	9	...	10	...	8	...	...	...	...	27
1 sweep	6	6	5	5	6	...	...	...	...	28
Lighting, etc.	30	15	30	15	15	...	...	...	5	110
	67	43	67	30	51	10	10	8	13	299
Present cost	95-8	67-10	80	...	65	10	114	15	...	437-2
	Decrease									188-2

12. In addition to the higher rates of pay for chaukidar-bearers on account of the prevalent wages in the Hyderabad Assigned Districts, the Resident at Hyderabad proposes to add 8 peons at a cost of R56 a month to the authorised scale of church establishments. The Governor General in

Council regrets that he is unable to depart from the scale already fixed, but is pleased to sanction the other proposals as shown below from the beginning of the next financial year :

	Clerk.	Chaukidar-bearer.	Water-carrier.	Sweeper.	Lighting, &c.		Existing cost.	Saving.
	R	R	R	R	R	R	R	R
1st class church at Secunderabad.	12	6	5	4	20	47	64	17
1st class church at Trimulgherry	12	6	5	4	20	47	74	27
2nd class church at Bolaram	8*	6	...	4	10	28	51	23
3rd class church at Aurangabad	...	8	...	...	...	8	33	25
Ditto at Jalna	...	8	...	...	...	8	7	+1
Ditto at Hingoli	...	8	...	...	...	8	20	12
<i>Paid from Berar Revenues.</i>								
3rd class church at Akola	...	8	...	...	...	8	48	40
Ditto at Elliehpur	...	8	...	...	...	8	27	19
Ditto at Amraoti	...	8	...	...	...	8	48	40
TOTAL	32	66	10	12	50	170	372	202

* Till vacancy occurs.

13. The list submitted by the Chief Commissioner of Oudh shows that there are only six churches in Oudh—three of the 1st and three of the 2nd class. The proposed classification of these churches is approved, with effect from 1st April 1877, with a request that a tabular statement may now be forwarded.

14. The Chief Commissioner of Assam states that there are in Assam six 3rd class non-military churches, and proposes to pay the chaukidar-bearers at R10 each a month, remarking that "this is the lowest salary on which a servant can be entertained to perform the above duties in this province." The Governor General in Council sanctions a chaukidar-bearer for each of the churches in Assam on the pay of R6 each a month from 1st April 1877, and requests that the usual tabular statement may now be forwarded.

Note I.—The Government of India authorise local Governments and Administrations to sanction higher rates of pay for church establishments, when the rates fixed in the above resolution are clearly inadequate.

Note II.—Roman Catholic churches or chapels, which are the property of Government and which do not receive the allowances for establishment, lighting, etc., admissible under Army Regulations, India, Volume I, Article 395, are entitled to receive the allowances set forth in the Finance Department Resolution no. 2202 of the 15th August 1876.

Finance Department resolution no. 2719, dated 25th November 1876.

Read again—

Finance Department resolution no. 2202, dated the 15th August 1876, sanctioning a scale of charges for church establishments in India.

Read also—

A letter from the Government of Bombay, to the Secretary to the Government of India in the Home Department, no. 199, dated the 28th July 1876, soliciting sanction to the entertainment of a church servant at Asirgarh on a pay of R7 per mensem from 15th April 1876.

RESOLUTION.—Sanctioned. For the future the President in Council is pleased to empower local Governments to sanction church establishments within the limits fixed in Financial resolution no. 2202, dated 15th August 1873, without reference to the Government of India, on the understanding that charges thus sanctioned will be entered in the monthly statements of charges locally sanctioned.

No. 7, dated the 9th January 1878.

From—J. O'KINEALY, Esq., Offg. Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Madras.

I am directed to acknowledge your letter, dated the 2nd January 1877, no. 2, submitting, for approval, the proceedings of the Madras Government determining the proposed scale of establishment for the cathedral.

2. In reply, I am to say that the Governor General in Council is pleased to fix a limit of R400 per mensem as the maximum grant towards the maintenance of the establishment of the cathedral, with effect from the 1st April 1878.

No. 9, dated the 9th January 1878.

From—J. O'KINEALY, Esq., Offg. Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Bengal.

With reference to paragraph 8 of your letter, dated the 5th February 1877, no. 376, regarding the establishment at St. Paul's Cathedral, Calcutta, I am directed to say that the Governor General in Council is pleased to comply with the recommendation of His Honour the Lieutenant-Governor and sanctions the continuance of the Government grant of R400 per mensem at present made towards the maintenance of the cathedral establishment.

No. 11, dated the 9th January 1878.

From—J. O'KINEALY, Esq., Offg. Secretary to the Government of India, Home Department,

To—The Secretary to the Government of Bombay, Ecclesiastical Department.

With reference to the correspondence ending with your letter, dated the 29th November last, no. 249, regarding the establishment at St. Thomas's Cathedral, Bombay, I am directed to observe that it appears from the papers submitted that the cost of the cathedral establishment and contingent charges amounts to R1,084 per mensem, and the trustees of the cathedral object to any reduction being made, holding that under the trust deed they have an indefeasible right to claim from Government both establishment and contingent charges on the existing scale.

2. The Governor General in Council does not admit that the trustees alone have the power to decide the question at issue, but His Excellency in Council does not desire to press the matter, and leaves it to be settled by the Bombay Government on the most favourable terms which may be found possible.

3. I am to add that a maximum grant of R400 per mensem has been fixed for the cathedrals at Calcutta and Madras.

Finance Department resolution no. 4016, dated Simla, the 9th November 1881.

Read—

Office memorandum from the Military to the Home Department (Ecclesiastical), no. 1618-S. D., dated the 17th October 1881, proposing a general rule to regulate the incidence of charges on account of clerical and menial establishments for religious services in connection with the troops.

The undersigned is desired to acknowledge the receipt of the docket from the Home Department, no. 75, dated 5th May 1881, on the subject of the provision of a clerical and menial establishment for Presbyterian religious service in connection with troops. The case in point is that of the 72nd Highlanders.

2. In reply he is to forward the correspondence marginally noted, and to suggest that as (in regard to the general question) there would seem to be some doubt as to the proper incidence of charges on account of such establishments, the present opportunity be taken to settle the question finally.

From the Adjutant General in India, no. 2795-B., dated the 29th June 1881.

From the Controller of Military Accounts, Bengal, no. 10642.

3. The present rule as regards chaplains is understood to be as follows, viz. :—

The Church of England chaplains and the church establishments are paid in the civil department, even though employed in a cantonment solely for the use of the troops.

The pay of the Roman Catholic chaplains and of the chapel establishments engaged in the service of the troops is borne by the Military Department.

The pay of Presbyterian chaplains and of the church establishments at ordinary stations is borne by the civil department, but the pay of Presbyterian chaplains with Highland regiments is a military charge.

4. It seems, therefore, to the Military Department right that the charge on account of establishments for the church services of Highland regiments should also be a military charge, when the chaplain employed in the services is paid by the Military Department, and that in all other cases where there is a service performed for Presbyterian troops by a civil Presbyterian, Wesleyan or other chaplain, the charge for his services and any temporary establishment should be borne by the civil department.

5. The Military Department considers that the above would be a clearly defined rule which would prevent the mistakes which appear to have been made on more than one occasion in regard to the debit of such charges, and the undersigned is to recommend its adoption to the Home Department.

* * * * *

RESOLUTION.—The rule proposed in paragraph 4 is sanctioned.

APPENDIX B.

Home Department resolution nos. 2—275 to 287 (Ecclesiastical), dated Simla, the 8th September 1875.

Read the undermentioned correspondence relative to a proposed revision of the rules at present in force for the guidance of chaplains of the Church of England in regard to the burial of such persons as have laid violent hands upon themselves; and of those who having been members of the Roman Catholic church, have been refused burial by the priests of that church:—

From the Government of Fort St. George, no. 142, dated 12th June 1874, and no. 203, dated 28th August 1874.

To the Solicitor to Government, no. 327, dated 22nd September 1874.

From ditto ditto, no. 2316, dated 26th September 1874.

From the Lord Bishop of Calcutta, dated 13th January 1875.

RESOLUTION.—The first question was raised by the refusal of the Reverend C. H. Deane, Chaplain of Bangalore, to read the funeral service over a person who was found by a court of inquest to have committed suicide while in a state of temporary insanity.

* To Mr. Knox, dated 2nd January 1874.

2. The subjoined letter* from the Reverend C. H. Deane sets forth the

ground of his refusal:

“When I answered your memorandum about the interment of the remains of the late Sergeant Spiers of the 18th Hussars, I was not aware that he had committed suicide. If, as I understand, there is no doubt that he poisoned himself, I regret to say that I shall not be able to officiate at his funeral. The Rubric before the burial service distinctly forbids it to be used for any that ‘have laid violent hands upon themselves,’ so that I have no option in the matter. The grave will be ready at 5 p.m., but no service can be used.”

† To the Chief Secretary to the Government of Fort St. George, no. 433, dated 24th March 1874.

3. The view taken of the question by the Right Reverend the Bishop of Madras is stated in the subjoined †letter:

“I am directed by the Right Reverend the Bishop of Madras to acknowledge your communication of the 17th ultimo, forwarding copy of a letter from the Deputy Adjutant General, transmitting correspondence relative to the Reverend C. H. Deane’s refusal to read the funeral service over the late Sergeant Spiers, 18th Hussars, who committed suicide.

“2. In reply I am desired to state that Mr. Deane seems to have been requested to perform the funeral without having been furnished with the customary death-report or any intimation that it was a case of suicide.

“3. The coroner’s warrant in itself appears to be ‘no more than a certificate that the body is not demanded by the law, and that therefore the relations may dispose of it as they please.’—(Wheatley on the Book of Common Prayer.) It does not, therefore, indicate the duty of a clergyman, or place him under legal obligation to give to a body Christian burial.

“4. In keeping with this view, the Government notification in *Fort St. George Gazette*, June 11th, 1850, page 623, when it intimates that ‘the Reverend chaplains will in future consider the warrant of the coroner for the interment of a body on which an inquest has been held to be a sufficient authority for their performance of the burial service over it,’ adds, ‘if it would be their duty, under ordinary circumstance, to perform that service.’

“5. What is the duty of a clergyman when requested to bury a person who has committed suicide is to be ascertained partly from the Rubrics of our church, which are binding upon the clergy and have the force of law; and partly from the limitations of recognised legal commentators.

“6. The Rubric at the opening of ‘the order for the burial of the dead forbids a clergyman to use that service for any that have laid violent hands upon themselves.’

"7. In Burn's 'Ecclesiastical Law' it is laid down: 'Of this sort [suicide] are to be understood not all who have procured death unto themselves, but who have done it voluntarily, and consequently have died in the commission of a mortal sin; and not idiots, lunatics, or persons otherwise of insane mind.'

"8. In the same book it is also stated that 'the proper judges whether persons who died of their own hands were out of their senses, are doubtless the coroner's jury.'

"9. In the case under consideration it appears that the Reverend Mr. Deane having regard only to the Rubric and *foro conscientie* accounting himself responsible for the interpretation of it, refused to bury the corpse even when he knew that the coroner's jury had returned a verdict of 'temporary insanity.'

"10. In this refusal, I am instructed to state that Mr. Deane has not, so far as the Bishop can ascertain, violated any law, but he has departed from a recognised custom in not accepting the verdict of the coroner's jury as a justification for the using of the church's service over the remains of Sergeant Spiers.

"11. Mr. Cripps, in his 'Practical Treatise on the law relating to the Church and the Clergy' [Ed. 1869],*

* Page 793.

states: 'No case appears ever to have occurred in which a clergyman who has refused to bury the corpse of one who has committed suicide in insanity has been punished by the Ecclesiastical Law.' At the same time he adds: 'It must be doubtful whether a departure from a custom of such acknowledged propriety would not be visited with ecclesiastical punishment.'

"12. In the absence of any court competent to visit with ecclesiastical punishment, the Bishop desires me to point out that it is very painful to a laborious and conscientious clergyman, such as Mr. Deane is, to deny the last offices of the church to one who has been under his spiritual charge, and it must, the Bishop thinks, be allowed that there was much in the circumstances of the present case to support the conclusion at which Mr. Deane arrived. I am, therefore, directed to say that His Lordship is disposed to take a lenient view of Mr. Deane's action, and the more so as those who are endeavouring to check the prevalence of intemperance in the army can ill-afford to lose any aid which a clergyman in the honest discharge of his duty can lawfully render."

4. The Government of Madras referred the whole correspondence for the information and orders of the Government of India.

5. The following brief statement of the English Law will be found sufficient for the present purpose:—By Common Law Christian persons are entitled to burial with the rites of the church. The Statutes passed from time to time for the uniformity of public worship have proceeded upon, though not expressly dealing with this state of things. The 68th of the Canons of 1603 recognises it and enjoins the clergy to act upon it. In that Canon occurs the exception of persons excommunicated for some grievous and notorious crime, and of whose repentance no testimony could be given. The Canons of 1603 are no part of the Statute Law, and it is only in a qualified sense that they are part of the law at all. But this Canon has been taken as truly expressing the ancient Common Law of the Church. The Books of Common Prayer have been embodied into the Statute Law by the various Acts of Uniformity, and Rubrics are authoritative guides when they speak on the question when the services are or are not to be used.

6. Down to the year 1661 there was no Rubric forbidding the performance of the burial service over any persons except persons excommunicated. The Rubric now in force was framed in the year 1661 and received the force of law from the Uniformity Act of 1662. It prescribes that "the office is not to be used for persons unbaptised or excommunicated, or who have laid violent hands on themselves."

7. The question now is whether the expression "have laid violent hands on themselves" includes all who have committed the overt act of suicide, or

only those who have done so deliberately being in their sound senses and in a state in which moral responsibility attaches to them.

* Page 793.

8. In Mr. Cripps'* Treatise the following statement is made:—

The uniform practice, however, so far as it has been able to be ascertained is in accordance with the reasoning and opinion of Dr. Burn, and it must be doubtful whether a departure from a custom of such acknowledged propriety would not be visited with ecclesiastical punishment.

9. The opinion of Dr. Burn will be found in his work on Ecclesiastical Law, Vol. I, p. 265. After referring to the ancient Canon which forbade Christian burial to those who violently put themselves to death, and stating that this rule was understood to apply to those who did the act voluntarily, Dr. Burn intimates that the Rubric should not be construed as severer than the preceding Ecclesiastical Law, and therefore should not apply to persons of insane mind.

10. In the year 1809 the Court of Arches, speaking of the treatment of suicides, put it on the ground that they are supposed to die in the commission of mortal sin, and to have renounced Christianity. *Kemp versus Wickes*, 3 Phillimore, pp. 272, 273.

11. The Government of India have not been referred to, and do not know of any authority for holding that the words of the Rubric apply to persons who are not responsible for their actions. It is certain that the practice has not been to apply these words in that way.

12. Under the circumstances the Governor General in Council comes to the following conclusions:—

- (a) It is reasonable in this matter to regulate the conduct of clergymen of the Church of England, who serve the Government of India, by the law and practice of the Church of England.
- (b) There is no authority for holding that the Rubric under consideration applies to those who have caused their own death when in a state of mental insanity. For holding the contrary there is the authority of commentators and of judicial *dicta*. There is also the much greater authority derived from a usage which is very wide-spread and long continued, if indeed it is not quite unbroken. Testing the question by reason, it is only reasonable to hold that the framers of this Rubric did not intend as regards the burial of suicides to alter the law and practice that they found in existence or to visit with what must be considered as an ecclesiastical penalty, an act for which the doer is not responsible.
- (c) Sincere respect is due to the scruples felt by conscientious men in performing a service of extreme solemnity. Nevertheless, it would not be reasonable that such scruples should prevail against the ancient law and practice of the Church of England which has been handed down to the present time, and which plainly authorises the use of the burial service over persons who have caused their own death while in a state of insanity.

13. The Governor General in Council must therefore require from all clergymen connected with the Government their conformity to this ruling.

14. The next point for consideration is the rule requiring chaplains to read the funeral service over the bodies of persons who, having died in the profession of the Roman Catholic faith, have been refused burial by the priests of that church. It is stated by the Bishops of Calcutta and Madras that the clergy of the Church of England look upon the rule as bearing hardly upon them, and they desire to have it reconsidered.

15. This rule was laid down in the year 1855 under the belief that the case was governed by positive law, *viz.*, the 68th of the Canons of 1603. But on reconsideration of the matter the Governor General in Council is of opinion—*1st*, that the Canon in question which is founded on the English parochial

system cannot for the purpose now under consideration be applied to the very different circumstances of an Indian station; and *2ndly*, that even if it were applicable, it would not prevent the Government from establishing a different rule of conduct for Indian chaplains if found expedient.

16. The Governor General in Council further thinks that for the case now under review a different rule is expedient. The chaplain of an Indian station does not stand to the residents in the station in the relation which the parson of an English parish bears to his parishioners. It was expressly so ruled by the Court of Directors in their despatch on this subject bearing date the 30th October 1844. Chaplains have been ordered to abstain from endeavours to influence the religious tenets of Roman Catholic soldiers, and in one case a chaplain was compelled to resign the service for persisting in such endeavours.

17. As regards the chaplains themselves, it does not seem consistent that they should be compelled to perform duties towards the corpse of a man whom when living they were forbidden to approach in any pastoral relation, and the Governor General in Council admits that the dissatisfaction which the chaplains have felt with the order of 1855 rests on reasonable grounds.

18. As regards other persons, it can hardly be agreeable to the feelings of either Protestants or Roman Catholics that the chaplain should be called in to supply a service which the priest has refused. To Protestants it must seem that in so acting their church is lax and careless about the performance of its solemn rites. To Roman Catholics it can hardly be otherwise than offensive that a stranger, who in their eyes has no authority, should affect to give to a member of their church what the recognised authority of that church has thought fit to withhold. And neither community can wish it on account of any advantage to the dead man; not Protestants, because the whole notion of such an advantage is contrary to their tenets; and not Roman Catholics, because they do not attribute any spiritual character to the chaplain.

19. For the above reasons the Governor General in Council is pleased to revoke the order issued in the year 1855, and he will request the military authorities to make arrangements for the decent burial of Roman Catholic soldiers to whom the rites of their church have been refused by the priests.

Home Department resolution (Ecclesiastical),—no. 159, dated Simla, the 6th June 1877.

Read again—

Home Department resolution no. 275—287, dated the 8th September 1875, laying down certain rules for the guidance of chaplains of the Church of England in regard to the burial of suicides, etc.

Read also—

Office memorandum from the Military Department, no. 810, dated the 16th November 1875, forwarding, for an expression of opinion, a draft General Order which His Excellency the Commander-in-Chief proposes to issue on the subject in accordance with the above rules.

RESOLUTION.—On a reconsideration of the subject, the Government of India think it necessary to modify the rules contained in the resolution of 8th September 1875, so far as regards the burial of deceased Roman Catholics. The Government of India have now decided :—

1st, that at stations where there is a Roman Catholic priest drawing an allowance from Government, he shall be held bound to read the burial service over the body of every deceased Roman Catholic soldier brought for burial, unless he be excused from doing so by the Rubrics and Canons of the Roman Catholic church: and that when the Roman Catholic priest refuses to read the burial service over the body of a deceased Roman Catholic soldier, the military authorities shall make proper arrangements for the decent interment of the corpse;

2ndly, that where there is no Roman Catholic priest paid by the State the Protestant chaplain shall, if requested by the friends of the deceased, or by the officer commanding, be bound to bury the deceased according to the rites and ritual of the Church of England, except in either of the three cases in which Protestant chaplains in India are excused from burying a deceased Protestant, *viz.*, dying unbaptised even by lay baptism; excommunicated by the major excommunication; or declared to be *felo de se*; and that when a Protestant chaplain refuses to officiate at the burial of a deceased Roman Catholic soldier, on either of the three abovementioned grounds, the military authorities shall, as in the case of refusal by a Roman Catholic Priest, make proper arrangements for the decent interment of the corpse;

3rdly, that whenever, with or without furnishing any explanation of his reasons, a Roman Catholic priest paid by the State or a Protestant chaplain refuses to perform the funeral rites of his church over the body of a deceased Roman Catholic soldier, the circumstances of the case should be fully reported by the military authorities for the consideration and orders of the Government.

2. The Governor General in Council is accordingly pleased to direct the modification in the above sense of the provisions of paragraphs 15 to 19 inclusive of the resolution, dated 8th September 1875.

NOTES.—(1) The expression “proper arrangements for the decent interment of the corpse” in Rules 1 and 2 means that when both the Roman Catholic and Protestant chaplains refuse burial in a case of suicide by a Roman Catholic soldier whilst of unsound mind, the burial service should be read over the body by the officer commanding the deceased’s company.

(2) The intention of the passage “bound to bury the deceased according to the rites and ritual of the Church of England” in rule 2 is, that the service of the Church of England should be read over the body, if the Protestant chaplain is requested by the friends of the deceased to do so; but the rule does not in any way reimpose on Protestant chaplains the burden of reading the burial service over either soldiers or civilians to whom a Roman Catholic chaplain has refused burial. There is nothing to prevent a chaplain burying anyone if he chooses to do so, provided they are not unbaptised “even by lay baptism,” excommunicated by the major excommunication, or declared to be *felo de se*, only the Protestant chaplain is no longer bound to do so.

(3) The expression “unbaptised even by lay baptism” in rule 2 is equivalent to “unbaptised by either clerical or lay baptism.” The meaning intended to be conveyed is that baptism, either by lay or clerical, is sufficient to prevent a person from being regarded as “unbaptised” for the purposes of the rule.

Form A.**Application to erect a monument in the Government cemetery at _____*

(Referred to in Part IV, rules 1, 3 and 14.)

1. Name and address of the applicant.
2. Name of the deceased.
3. Denomination to which he belonged.
4. Plot-line and number of the grave.
5. Whether the existing grave is a masonry grave or not.
 - (a) In the case of a masonry grave, give a working drawing of its cross-section (showing thickness and height of walls, maximum width between walls, and thickness of the covering slab or slabs) and state the length of inside walls and the nature of the materials used in its construction. (See Part I, rule 13.)
 - (b) In the case of a non-masonry grave, state the depth of the grave, and the depth from the ground level to which it is intended to dig to provide the necessary foundation.
6. Dimensions of the proposed monument—
 - (a) Length, breadth, height from the ground level.
 - (b) Kind of stone used in each part.
- (c) Whether the letters of the inscription are to be leaded, painted or merely cut.
- (d) Proposed inscription.
- (e) Name of the maker of the monument.
- (f) † Whether it is intended to endow the monument.

*Signature of the applicant.**Date* _____***Specification of erection.***

- (a) Manner of securing leaded letters (if any):
- (b) Mortar ingredients, with proportions:
- (c) Particulars of dowels in joints of border:
- (d) Railing, post and other jointing materials:
- (e) Other remarks.

*Signature of the undertakers or
makers of the monument.**Date* _____*Signature of the applicant.*

Approved subject to the following remarks.

*Executive Engineer.**Division.*

* [This form, which is required for permanent record should be printed on stout rice paper. Ample space should be allotted to items 6 (b) and (d), and for the entries under the specification.]

† In the case of a single stone monument only.

Certificate.

Certified that—

- (a) The ^{existing}/_{proposed} foundation is adequate.
- (b) The ^{proposed}/_{existing} monument comes under class * _____
- (c) The amount of endowment required is * _____

*Executive Engineer,**Date* _____.*Division.** *Vide* Part IV, rule 6.

No. of 19 .

The above application with a drawing is forwarded to the Venerable the Archdeacon
of _____ for approval and return.

*Chaplain,**Date* _____.*Officer in charge.*

No. of .

The papers are returned to the chaplain of _____ with the intimation that the
erection of the proposed monument is sanctioned.

Date _____.*Archdeacon of* _____

Form B.*Transmission of application to Executive Engineer.*

(Referred to in rule 2.)

No. _____ of 19 .

To

THE EXECUTIVE ENGINEER IN CHARGE OF THE CEMETERY.

THE chaplain in charge of the cemetery _____ has the honour to forward to the executive engineer an application (with sketch) to erect a monument over the grave of _____ in the above cemetery, and to request him to fill in the certificate below the application and to sign the specification if approved.

If the grave is not of masonry throughout, the cost of providing an adequate foundation for the monument should also be separately detailed by the undertakers or makers of the monument, unless such a foundation already exists.

Chaplain in charge of the cemetery.

Form C.

Receipt for endowment fee.

(Referred to in rule 4.)

No. _____

No. _____

_____ CEMETERY.

_____ CEMETERY.

ENDOWMENT of a _____
to the memory of _____RECEIVED of Mr. _____
the sum of Rupees _____
being _____Received of Mr. _____
Rupees _____
endowment.the amount of endowment of a _____
to the memory of _____
_____ in _____ cemetery.*Executive Engineer,
Division.**Executive Engineer,
Division.*

_____ 19 .

_____ 19 .

Form D.

Intimation of the Archdeacon's sanction.

(Referred to in rules 4 and 5.)

No. _____
_____ cemetery.

No. _____, dated the
To _____

THE EXECUTIVE ENGINEER,

Division.

No. and date of the
Archdeacon's sanc-
tion. }

Has the honour to return the sanctioned applica-
tion (with enclosures) for permission to erect a monu-
ment over the grave of _____ line _____ in the
Government cemetery at _____

Name of the deceased.

Name and address of applicant.

Plot line and number
of the grave. }

Initials of the [Officer] in charge.
[over.]

Chaplain
Officer in charge.

No. _____, dated the

are hereby informed that the Venerable the
is _____ has sanctioned the
Archdeacon of _____ erection of the proposed monument over the grave
of _____ in the Government cemetery
at _____. They are accordingly requested
to pay to the Executive Engineer _____ Division the
sum of R _____ being the amount of endow-
ment required. The Executive Engineer, who will
supervise the _____, should be informed at least
a week beforehand of the date and hour on which the
monument will be erected.

The Executive Engineer, if the work is executed
to his satisfaction, will furnish a certificate to that
effect.

Chaplain
Officer in charge.
[over.]

R a. p.

Fees payable—

(1) To Executive Engineer for
endowment .

TOTAL .

(2) To Chaplain for erection
(particulars) .

TOTAL .

N.B.—The fees must be paid separately
to the officers named.

Chaplain
Officer in charge.

R a. p.

Fees payable—

(1) To Executive Engineer for
endowment .

TOTAL .

(2) To Chaplain for erection
(particulars) .

TOTAL .

N.B.—These fees must be paid separately
to the officers named.

Chaplain
Officer in charge.

Form E Part (I).

PROVINCE.

DIVISION.

Register of endowments received for repairs of monuments in Government cemeteries.

(Referred to in rule 8.)

Year.	RECEIPT OF ENDOWMENT.			No. AND NAME OF MONUMENT.		AMOUNT OF ENDOWMENT.					REMARKS.
	Date.	From whom received.	No.	Name.	ORDINARY.		SPECIAL.				
					Received during year.	Received to end of year.	Received during year.	Received to end of year.			
1	2	3	4	5	6	7	8	9	10		
1901-02		Balance of previous year brought forward.	...	.....	R	R	R	R		
		Cemetery at—			...	2,000	...	...	560	
	3rd April	F. G. Smith, Cawnpore	641	Edward Smith	75	...	...	...	...
	9th May	G. F. Gordon, Umballa	656	Charles Gordon	...	...	50	...	...
				Total cemetery at	75	2,075	50	610			
		Cemetery at B—									
				Total cemetery at	...	...	...	...
				[and so on]							
				Grand total to end of 1901-02.	...	...	...	...

Form E (Part II).

PROVINCE.

DIVISION.

[Account of endowments of monuments.

(Referred to in rule 9.)

Year.	ORDINARY.					SPECIAL.					REMARKS.
	Total endowments to end of previous year.	Interest on (2).	Unspent balance of previous year.	Expended during the year.	Balance unspent 3+4-5.	Total endowments to end of previous year.	Interest on (7).	Unspent balance of previous year.	Expended during the year.	Balance unspent 8+9-10.	
1	2	3	4	5	6	7	8	9	10	11	12
1901-02	R a. p. 2,030 0 0	R a. p. 70 0 0	R a. p. 2 0 0	R a. p. 64 0 0	R a. p. 8 0 0	R a. p. 560 0 0	R a. p. 16 0 0	R a. p. 4 0 0	R a. p. 12 8 0	R a. p. 7 8 0	...
1902-03	2,075 0 0	...	...	...	...	610 0 0	...	...	...	...	...

Form F.

PROVINCE.
DIVISION.
CEMETERY.

Statement showing capital sums deposited for repairs of tombs and account of the interest and repairs for the year 1901-02.
(Referred to in rule 15.)

MONUMENTS TO WHOM ERECTED AND YEAR OF ENDOWMENT.			ACCOUNT OF INTEREST AND REPAIRS.						REMARKS.	
No.	Name.	Year.	Amount of endowment.	Balance brought forward.	Interest realized during year.	Total.	Expenditure.	Balance unspent.	By the chaplain or other officer in charge.	By the executive engineer.
1	2	3	4	5	6	7	8	9	10	11
	SPECIAL.		R a. p.	R a. p.	R a. p.	R a. p.	R a. p.	R a. p.		
421	Thomas Edwards	1898	75 0 0	1 0 0	3 0 0	4 0 0	3 0 0	1 0 0	...	...
426	James Freenan	1899	60 0 0	0 8 0	2 0 0	2 8 0	2 0 0	0 8 0	...	...
484	Edward George	1900	84 0 0	...	2 8 0	2 8 0	2 8 0	...	...	...
					and so on					
	TOTAL SPECIAL	...	610 0 0	4 0 0	16 0 0	20 0 0	12 8 0	7 8 0	...	...
	TOTAL ORDINARY *	...	2,075 0 0	2 0 0	70 0 0	72 0 0	64 0 0	8 0 0	...	...
	GRAND TOTAL	...	2,685 0 0	6 0 0	86 0 0	92 0 0	76 8 0	15 8 0	...	...

* Details are not required in the case of ordinary endowments.

Chaplain or
Officer in charge.

Executive Engineer,
Division.

Dated the _____ 19 . }

Form G.(Referred to in rule 8.)
BLOCK.

No. _____ Dated _____ 19 .

Remitted to—

Treasury at _____

On account of endowment of
monuments in the cemetery *

at _____.

For monument—

No. _____ Name. _____ Amount. _____

R a. p.

Total _____

(Words and Figures.)

Executive Engineer,

Accountant. _____ Division.

Acknowledged by the treasury
officer under no. _____, dated _____

Accountant. Executive Engineer.

*NOTE.—Separate form to be used for each
cemetery.**Form G.**

TREASURY REMITTANCE NOTE.

No. _____ Dated _____ 19 .

To

THE OFFICER IN CHARGE OF TREASURY

AT _____

SIR,

Please receive the sum of Rupees (figures) _____
(words) _____to be credited to the Civil Department as "receipts"
on account of endowments of monuments in the
Government cemetery at _____

I have the honour to be,

SIR,

Your most obedient servant,

Executive Engineer,

_____ Division.

Accountant.

Form G.

TREASURY OFFICER'S RECEIPT.

No. _____ Dated _____ 19 .

To

THE EXECUTIVE ENGINEER,

_____ DIVISION.

SIR,

I beg to acknowledge the receipt of the
sum of Rupees (figures) _____

(words) _____

forwarded with your Remittance Note
no. _____, dated _____ 19 , to be
credited to the Civil Department as "receipts"
on account of endowment of monuments in
the Government cemetery at _____

I have the honour to be,

SIR,

Your most obedient servant,

Officer in charge of

Treasury at—

Treasurer.

Form I.

Certificate of proper erection.

Certified that _____

Undertaker (s) at _____
Sculptor (s) _____have
has properly erected the monument to the memory of _____

_____ over grave No. _____

Plot line _____

in the _____ cemetery.

_____ 19

Executive Engineer,

_____ Division.

The 12th November 1909.

No. 490.—The following programme of the proposed visitation tour of the Most Reverend the Lord Bishop of Calcutta and Metropolitan in India and Ceylon is published for general information.

Proposed Tour of the Lord Bishop of Calcutta during November and December 1909.

PROGRAMME.

Stations.	Arrival.	Departure.	REMARKS.
Calcutta . . .	...	Monday, 15th November.	
Dibrugarh . . .	Thursday, 18th November.	Monday, 22nd November.	
<i>Gorhat</i> . . .	Monday, 22nd November	Thursday, 25th November.	
<i>Silchar</i> . . .	Friday, 26th November.	Tuesday, 30th November.	
Sylhet . . .	Wednesday, 1st December.	Thursday, 2nd December.	
<i>Chittagong</i> . . .	Friday, 3rd December .	Monday, 6th December	
Calcutta . . .	Tuesday, 7th December.		

Letters may be addressed to the stations marked in italics. Matters of a routine nature requiring immediate attention will be attended to by the Venerable the Archdeacon of Calcutta, address the Palace, Calcutta.

JOHN GODBER,
Bishop's Chaplain.

No. 492.—The services of the Reverend J. Johnstone Wright, Junior Chaplain of the Church of Scotland, are placed at the disposal of His Excellency the Commander-in-Chief in India.

EDUCATION.

The 12th November 1909.

No. 956.—His Excellency the Viceroy, as Patron of the Indian Institute of Science, is pleased to announce that, in pursuance of clause 9 of the scheme for the Administration and Management of the Properties and Funds of the Indian Institute of Science, which forms Schedule H attached to the Vesting Order published with the Home Department Notification No. 433, dated the 27th May 1909, the Court of Visitors of the Institute has been constituted as follows :—

The Honourable Mr. M. * Hammick, C.S.I., C.I.E.	} Nominated by His Excellency the Patron.
The Honourable Sir John W. P. Muir-Mackenzie, K.C.S.I., M.R.A.C.	
The General Officer Commanding, Southern Army.	
The Minister of the Hyderabad State	
The Minister of the Baroda State	
The Dewan of the Travancore State	} Nominated by the Government of India.
The General Officer Commanding the Secundera- bad Division.	
The Accountant General, Madras	
The Inspector General of Education, Mysore State.	} Nominated by the Mysore State.
Mr. V. P. Madhava Rao, C.I.E.	
D. J. Tata, Esq.	} Nominated by Messrs. D. J. and R. J. Tata.
R. J. Tata, Esq.	
B. J. Padshah, Esq.	
Dr. R. Row, M.D., D.Sc.	} Nominated by His Excellency the Governor of Madras.
The Director of Industries, Madras Presidency .	
The Hon'ble Mr. Justice Dinshah Dhanjibhai Davar, Barrister-at-Law.	} Nominated by His Excellency the Governor of Bombay.
Maharaja Manindra Chandra Nandi of Cossim- bazar.	
The Hon'ble Rai Sundar Lal Bahadur, B.A., C.I.E.	} Nominated by His Honour the Lieutenant-Governor of Bengal.
The Official Member representing the Govern- ment of the Punjab on the Imperial Legislative Council.	
Colonel W. G. King, C.I.E., I.M.S.	} Nominated by His Honour the Lieutenant-Governor of Burma.
F. W. Strong, Esq., I.C.S.	
Rao Bahadur Rangnath Narsingh Mudholkar .	} Nominated by His Honour the Lieutenant-Governor of East- ern Bengal and Assam.
Dr. D. B. Spooner, Ph.D.	
R. D. Tipping, Esq.	} Nominated by the Chief Com- missioner, Central Provinces.
C. W. Waddington, Esq., C.I.E.	
Khan Bahadur Burjorji Dorabji Patel, C.I.E. .	} Nominated by the Agent to the Governor-General and Chief Commissioner, North-West Frontier Province.
The Director General of Education in India and the Directors of Public Instruction in the various provinces.	

Ex-officio.

The Director and the Professors of the Indian Institute of Science. *Ex-officio.*

Dr. P. C. Ray, D.Sc., Ph.D. Elected by the Senate of the Calcutta University.

The Reverend Dr. D. Mackichan, M.A., D.D., LL.D. Elected by the Senate of the Bombay University.

W. H. James, Esq. Elected by the Senate of the Madras University.

2. The names of the persons elected by the Senates of the Universities of the Punjab and Allahabad as their representatives on the Court of Visitors will be notified hereafter.

H. A. STUART,
Secretary to the Government of India.

PUBLIC WORKS DEPARTMENT.

NOTIFICATION.

Calcutta, the 11th November 1909.

No. 130.—The Hon'ble Mr. A. S. Thomson, Chief Engineer and Secretary to the Government of Bengal in the Public Works Department, Buildings and Roads Branch, is appointed to officiate as Secretary to the Government of India in the Public Works Department during the absence of Mr. L. M. Jacob, C.S.I., on privilege leave.

G. H. LEMAISTRE,
Deputy Secretary to the Government of India.

FOREIGN DEPARTMENT.

NOTIFICATION.

Simla, the 6th November 1909.

No. 3747-*Est-A.*—Mr. R. I. R. Glancy, a Political Agent of the 4th class, is posted, on return from furlough, as Deputy Commissioner, Dera Ismail Khan, with effect from the 19th October 1909.

S. H. BUTLER,
Secretary to the Government of India.

DEPARTMENT OF COMMERCE AND INDUSTRY.

NOTIFICATION.

CUSTOMS.

Calcutta, the 10th November 1909.

No. 8351—45.—In exercise of the power conferred by section 9 of the Indian Tariff Act, 1894 (VIII of 1894), the Governor General in Council is pleased to cancel the notification of the Government of India, No. 2280-S.R., dated the 10th May 1900, imposing, under section 8-A of the said Act, an additional import duty on raw sugar produced in or exported from Chile.

B. ROBERTSON,
Secretary to the Government of India.

FINANCE DEPARTMENT.

NOTIFICATIONS.

ACCOUNTS AND FINANCE.

ESTIMATES AND ACCOUNTS.

Calcutta the 2nd November 1909.

No. 5622-A.— Monthly Preliminary Statement of Receipts and Payments
at Civil Treasuries in India.

Lakhs of Rupees.

September 1909.

	SEPTEMBER.		TO END OF SEP- TEMBER		WHOLE YEAR.	
	1909-1910.	1908-1909.	1909-1910.	1908-1909.	Budget, 1909-1910.	Actuals, Preliminary 1908-1909.
Civil Revenue.						
Land Revenue (including Land Revenue due to Irrigation)	1,13	1,10	11,88	10,33	32,97	31,43
Opium	53	90	3,00	4,43	6,03	8,83
Salt	37	38	2,26	2,33	4,98	4,89
Stamps	54	52	3,55	3,31	6,71	6,33
Excise	77	79	4,67	4,73	10,16	9,56
Provincial Rates	11	8	41	38	80	80
Customs	62	60	3,39	3,54	7,54	7,24
Assessed Taxes	22	23	1,00	1,02	2,22	2,10
Forest	19	15	89	87	2,69	2,24
Registration	5	5	38	36	66	65
Tributes from Native States	1	3	23	22	88	91
Other Civil Revenue	26	22	1,83	1,71	4,42	3,74
TOTAL CIVIL REVENUE DIRECTLY BROUGHT TO ACCOUNT: GROSS	4,80	5,05	33,49	33,23	80,66	78,78
Civil Expenditure.						
Interest on Ordinary Debt and that on Railways and Irrigation Works	-7	-11	-2,40	-2,29	-4,45	-4,44
Opium	-10	-25	-1,55	-1,73	-1,04	-1,84
Famine Relief . . . . .	...	-10	-9	-90	-75	-93
Other Civil Expenditure	-2,69	-2,89	-17,45	-17,54	-37,55	-36,66
TOTAL CIVIL EXPENDITURE DIRECTLY BROUGHT TO ACCOUNT: GROSS	-2,92	-3,35	-21,49	-22,46	-44,39	-43,87
Receipts into Civil Treasuries from, and issues from those Treasuries to, the following Non-Civil Departments:						
[The figures comprise Revenue, Expenditure, and Debt and Remittance transactions.]						
Post Office (Net: + Receipts more, - Receipts less than issues)	+15	-6	+91	+2	+1,60	+21
Marine	-3	-4	-19	-18	-34	-36
Military Receipts	+4	+7	+32	+51	+88	+1,20
Military Issues	-1,59	-1,65	-10,00	-10,11	-21,16	-21,54
Public Works Department—						
Receipts.						
Ordinary Branches	+17	+24	+2,62	+2,52	+51,25	+46,59
State Railways	+2,47	+2,48	+17,72	+16,15		
East Indian Railway	+45	+53	+3,37	+3,40	+61	+61
Telegraph	+1	+6	+9	+2		
TOTAL	+3,10	+3,31	+23,80	+22,36	+51,86	+47,20
Issues.						
Ordinary Branches	-37	-96	-5,87	-6,70	-44,26	-43,74
State Railways	-2,23	-2,26	-13,78	-13,38		
East Indian Railway	-42	-38	-2,03	-2,19	-1,72	-1,29
Telegraph	-10	-11	-62	-60		
TOTAL	-3,62	-3,91	-22,30	-22,87	-45,98	-45,03
TOTAL NON-CIVIL DEPARTMENTS	-1,95	-2,28	-7,46	-10,37	-13,14	-18,26
Civil Debt and Remittance Transactions.						
Permanent Debt and Special Loans (Net: + Receipts more, - Receipts less than payments) . . . . .	...	+6	+2,44	+1,86	+2,31	+1,74
Mint Certificates and bullion Advances (Net as above)	-6	-14	-13	-94	...	+22
Currency Transfers for Gold in England . . . . .	...	...	...	...	...	-3,31
Currency Transfers for Silver in transit . . . . .	...	...	...	...	...	...
Exchange and Remittance Accounts . . . . .	...	-1	...	+6	...	-2
Council Bills paid (including Telegraphic) at Rs 15 per £	-49	-1,03	-11,32	-2,10	-24,10	-17,74
Sale of De. and Drafts on London	+23	-84	+23	...	...	...
Other debt heads (Net as above)	+17	-79	+77	-6,44	+1,70	-1,37
TOTAL DEBT AND REMITTANCE TRANSACTIONS	-15	-2,80	-8,04	-7,56	-20,09	-20,58
GRAND TOTAL RECEIPTS AND ISSUES	-22	-3,38	-3,50	-7,16	+3,04	-3,93
Opening Cash Balance in Treasuries and Presidency Banks	12,07	15,50	15,35	19,28	15,35	19,28
Closing Cash Balance in Treasuries and Presidency Banks	11,85	12,12	11,85	12,12	18,39	15,35

LEAVE AND APPOINTMENTS.

The 5th November 1909.

No. 5634-F. O. & A.—Mr. C. E. Gwyther, Assistant Accountant General, United Provinces, is granted privilege leave for one month with effect from the 4th of October 1909.

No. 5640-F. O. & A.—The services of Sir William Stevenson Meyer, K.C.I.E., I.C.S., are replaced at the disposal of the Government of Madras with effect from the 1st of November 1909.

No. 5642-F. O. & A.—Mr. J. S. Meston, C.S.I., I.C.S., is appointed to be Secretary to the Government of India in the Finance Department with effect from the 1st of November 1909.

The 11th November 1909.

No. 5753-F. O. & A.—Mr. W. H. Michael, I.C.S., Accountant General, Bombay, is granted privilege leave for one month with effect from the 18th of October 1909.

Mr. G. D. Pudumjee is appointed to officiate as Accountant General, Bombay, with effect from the 18th of October 1909, during the absence on privilege leave of Mr. W. H. Michael or until further orders.

No. 5754-F. O. & A.—Mr. J. C. E. Branson, Accountant General, Bengal, is, with effect from the 15th of October 1909, granted privilege leave for 2 months and 4 days in conjunction with special leave for 3 months and 25 days.

Mr. K. B. Wagle is appointed to officiate as Accountant General, Bengal, with effect from the 15th of October 1909 and until further orders.

No. 5755-F. O. & A.—Mr. W. E. Mellor has been posted as Deputy Accountant General, Punjab, with effect from the 11th of October 1909.

Mr. B. W. Kissan has been posted as Assistant Accountant General, Burma, with effect from the 20th of October 1909.

Mr. L. J. W. Worgan has been posted as Deputy Accountant General, United Provinces, with effect from the 20th of October 1909.

Mr. R. H. Macnair has been posted as Assistant Accountant General, Bombay, with effect from the 22nd of October 1909.

Mr. P. G. Jacob, Assistant Accountant General and Examiner of Local Fund Accounts, Punjab, has been granted privilege leave for 3 months in conjunction with furlough for 9 months with effect from the 25th of October 1909.

Mr. J. Davidson has been posted as Assistant Accountant General and Examiner of Local Fund Accounts, Punjab, with effect from the 27th of October 1909.

No. 5756-F. O. & A.—The services of Mr. R. A. Mant, I.C.S., are replaced at the disposal of the Government of the Punjab with effect from the 8th of November 1909.

No. 5758-F. O. & A.—Mr. J. B. Brunyate, I.C.S., is appointed Joint Secretary to the Government of India in the Finance Department (Military Finance), with effect from the 8th of November 1909.

J. S. MESTON,

Secretary to the Government of India.

ARMY DEPARTMENT.

Fort William, the 12th November 1909.

APPOINTMENTS.

No. 1020.—Major-General Sir D. Haig, K.C.V.O., C.B., is appointed Chief of the Staff, *vice* Lieutenant-General Sir Beauchamp Duff, K.C.B., K.C.V.O., C.I.E., and is granted the temporary rank of Lieutenant-General whilst so employed. Dated 22nd October 1909.

INDIAN ARMY.

No. 1021.—The undermentioned officers are admitted to the Indian Army, with effect from the dates specified, subject to confirmation by the Secretary of State for India :—

Lieutenants—

- Cyril Louis Norton Newall, 1st Battalion, The Royal Warwickshire Regiment, officiating Double Company Officer, 2nd Battalion, 2nd King Edward's Own Gurkha Rifles (The Sirmoor Rifles),—16th September 1909.
- Harold Ponsonby Steel, 1st Battalion, The York and Lancaster Regiment, Double Company Officer, 12th Pioneer's (The Kelat-i-Ghilzai Regiment),—19th September 1909.
- John Malcolm Lorimer, 1st Battalion, The Royal Warwickshire Regiment, Squadron Officer, 3rd Skinner's Horse,—17th September 1909.
- Charles O'Brien Daunt, Royal Field Artillery, Squadron Officer, 38th Prince of Wales's Own Central India Horse,—25th September 1909.
- Theodore Bailward, The Prince Albert's (Somersetshire Light Infantry), Squadron Officer, 26th Prince of Wales's Own Light Cavalry,—13th September 1909.

Second-Lieutenants—

- Ernie Lawrence Dingwall Fordyce, 1st Battalion, The Durham Light Infantry, Double Company Officer, 84th Punjabis,—24th September 1909.
- Mervyn Chidley Coote, 1st Battalion, The Durham Light Infantry, Double Company Officer, 128th Pioneers,—17th September 1909.
- Wentworth Edward Dallas Campbell, 2nd Battalion, The Black Watch (Royal Highlanders), Squadron Officer, 34th Prince Albert Victor's Own Poona Horse,—12th September 1909.
- John MacAdam Craig, 1st Battalion, Seaforth Highlanders (Ross-shire Buffs, The Duke of Albany's), officiating Double Company Officer, 57th Wilde's Rifles (Frontier Force),—21st September 1909.
- Herbert Stewart Phillips, 1st Battalion, The Duke of Cambridge's Own (Middlesex Regiment), Squadron Officer, 27th Light Cavalry,—20th September 1909.
- George Chichester Smythe Ferguson, 2nd Battalion, The Prince of Wales's Leinster Regiment (Royal Canadians), Squadron Officer, 6th King Edward's Own Cavalry,—17th September 1909.

No. 1022.—The undermentioned officers are admitted to the Indian Army in the rank of Second-Lieutenant, with effect from the dates specified, subject to confirmation by the Secretary of State for India :—

Lieutenants—

- Charles James Seward Le Cornu, 1st Battalion, The Royal Munster Fusiliers, officiating Double Company Officer, 56th Punjabi Rifles (Frontier Force),—16th September 1909.
- Patrick Thomas Hogan, 1st Battalion, The Duke of Edinburgh's (Wiltshire Regiment), Double Company Officer, 96th Berar Infantry,—17th September 1909.
- Edward Fleetwood Berry, 1st Battalion, The Duke of Edinburgh's (Wiltshire Regiment), Double Company Officer, 2nd Battalion, 9th Gurkha Rifles,—17th September 1909.

LONDON GAZETTE.

No. 1023.—The following extracts are published for general information :—

"London Gazette," dated 12th October 1909, pages 7495 and 7496.

War Office, Whitehall,
11th October, 1909.

MEMORANDA.

Lieutenant-Colonel and Brevet-Colonel Robert H. Jennings, C.S.I., Half-pay List, is placed on the retired list with an Indian pension. Dated 13th October, 1909.

The undermentioned Lieutenant-Colonels, Indian Army, to be Brevet-Colonels. Dated 11th August, 1909 :—

Edward Grey, Supply and Transport Corps.

Henry L. B. Acton, Judge Advocate-General's Department.

* * * * *

PROMOTIONS.

INDIAN ARMY.

No. 1024.—The following promotions are made, subject to His Majesty's approval :—

Captains to be Majors.

7th November 1909.

Halhed Brodrick Birdwood, 39th Prince of Wales's Own Central India Horse.

Alexander Bertram Lindsay, 1st Battalion, 2nd King Edward's Own Gurkha Rifles (The Sirmoor Rifles).

Charles Howard Hawes, 23rd Cavalry (Frontier Force).

Charles Alexander Robert Hutchinson, 41st Dogras.

Archibald Duncan Macpherson, Political employ.

Charles Buxton Loring, 37th Lancers (Baluch Horse).

William Scott, 104th Wellesley's Rifles.

James Craik, 19th Lancers (Fane's Horse).

Brevet Major Francis Aylmer Maxwell, V.C., D.S.O., 18th Prince of Wales's Own Tiwana Lancers.

Richard Henry Edmund Pennell, Military Accounts Department.

William Frank Bainbridge, D.S.O., 51st Sikhs (Frontier Force).

Donald Munro Watt, 2nd Battalion, 2nd King Edward's Own Gurkha Rifles (The Sirmoor Rifles).

Charles Aitchison Smith, Political employ.

Donald Archibald Dugald McVean, D.S.O., 45th Rattray's Sikhs.

No 1025.—The undermentioned officers are promoted to the rank of Lieutenant in the Indian Army, subject to His Majesty's approval, with effect from the dates specified :—

Second-Lieutenants—

Ernie Lawrence Dingwall Fordyce, 84th Punjabis,—29th February 1908.

Mervyn Chidley Coote, 128th Pioneers,—29th February 1908.

Charles James Seward Le Cornu, 56th Punjabi Rifles (Frontier Force),—29th November 1908.

Wentworth Edward Dallas Campbell, 34th Prince Albert Victor's Own Poona Horse,—29th November 1908.

John MacAdam Craig, 57th Wilde's Rifles (Frontier Force),—6th January 1909.

Herbert Stewart Phillips, 27th Light Cavalry,—6th January 1909.

George Chichester Smythe Ferguson, 6th King Edward's Own Cavalry,—20th June 1909.

No. 1026.—The promotions of the undermentioned officers to the rank of Lieutenant are antedated to the date noted opposite their names :—

Lieutenants—

Cyril Louis Norton Newall, 2nd King Edward's Own Gurkha Rifles (The Sirmoor Rifles),—16th November 1907.

Harold Ponsonby Steel, 12th Pioneers (The Kelat-i-Ghilzai Regiment),—29th February 1908.

John Malcolm Lorimer, 3rd Skinner's Horse,—24th April 1908.

Charles O'Brien Daunt, 38th Prince of Wales's Own Central India Horse,—25th October 1908.

Theodore Bailward, 26th Prince of Wales's Own Light Cavalry,—21st February 1909.

VOLUNTEER CORPS.

APPOINTMENTS, PROMOTIONS AND RESIGNATIONS.

*Calcutta Port Defence Volunteer Corps.**(Naval Divisions.)*

No. 1027.—Robert Graham Beadle to be Sub-Lieutenant, to fill an existing vacancy
Dated 25th September 1909.

Calcutta Light Horse.

No. 1028.—Second-Lieutenant James Maurice Turner resigns his commission. Dated
1st April 1909.

Punjab Light Horse.

No. 1029.—Second-Lieutenant Arthur Danson to be Lieutenant, *vice* G. B. Goyder
promoted. Dated 12th November 1909.

Northern Bengal Mounted Rifles.

No. 1030.—John Gollan to be Veterinary Lieutenant, to fill an existing vacancy.
Dated 1st May 1909.

2nd (Presidency) Battalion, Calcutta Volunteer Rifles.

No. 1031.—William Walker Nuid to be Captain, *vice* J. G. Cheney transferred to the
Supernumerary List. Dated 12th June 1909.

R. I. SCALLON, *Major-General,*
Secretary to the Government of India.



The Gazette of India.

PUBLISHED BY AUTHORITY.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

CONTENTS.

	PAGES		PAGES
PART I.—Government of India Notifications, Appointments, Promotions, Leave of Absence, General Orders, Rules and Regulations	1163—1631	SUPPLEMENT No. 47—	
PART II.—Notifications by Comptroller General, Department of Commerce and Industry, Paper Currency Department, Bank of Bengal, Agent to the Governor General and Chief Commissioner in Baluchistan, Agent to the Governor-General, North-West Frontier Province, Administrator General of Bengal, High Court, Survey of India Department, Indian Museum, State Railways, Calcutta University, Post Office, Telegraph Department, Official Advertisements	1767—1791	Rainfall Summary for the seven days ending at 8 hrs., Thursday, the 18th November 1909, based on the Indian Daily Weather Reports of the period	2363—2365
PART III.—Advertisements and Notices by Private Individuals and Corporations	99—100	Season and Crop Prospects for the week ending Saturday, the 13th November 1909	2366—2368
		Statement of plague seizures and deaths reported in India during week ending the 13th November 1909	2369—2376
		Statement of Wholesale and Retail Prices of certain staple articles of food grains for the first half of October 1909	2377—2395
		Statement of Approximate Gross earnings of Indian Railways	2397—2398

PART I.

Government of India Notifications, Appointments, Promotions, etc.

HOME DEPARTMENT.

NOTIFICATION.

PUBLIC.

No. 4212.

Calcutta, the 15th November 1909.

In exercise of the power conferred by section 8, sub-section (2), of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, appointed the fifteenth day of November 1909 as the date on which the provisions of the said Act shall come into operation for all purposes and for all Councils in British India.

H. A. STUART,

Secretary to the Government of India.

LEGISLATIVE DEPARTMENT.

NOTIFICATION.

The 15th November 1909.

No. 14.—In exercise of the power conferred by section 6 of the Indian Councils Act, 1909 (9 Edw. 7, ch. 4), the Governor General in Council has, with the approval of the Secretary of State for India in Council, made the following Regulations for the nomination and election of Additional Members of the Legislative Council of the Governor General of India:

REGULATIONS FOR THE NOMINATION AND ELECTION OF ADDITIONAL MEMBERS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR GENERAL.

I. The Additional Members of the Legislative Council of the Governor General shall ordinarily be sixty in number and shall consist of—

A.—Members elected by the classes specified in Regulation II, who shall not be less than twenty-five in number; and

B.—Members nominated by the Governor General, who shall not exceed thirty-five in number, and of whom—

(a) not more than twenty-eight may be officials, and

(b) three shall be non-official persons to be selected—

(i) one from the Indian commercial community,

(ii) one from the Muhammadan community in the Punjab, and

(iii) one from the landholders in the Punjab :

Provided that it shall not be lawful for the Governor General to nominate so many non-official persons under these Regulations that the majority of all the Members of the Council shall be non-officials.

II. The twenty-five elected Members specified in Regulation I shall be elected as follows, namely :—

(i) By the non-official Additional Members of the Council of the Governor of Fort St. George	2 Members.
(ii) By the non-official Additional Members of the Council of the Governor of Bombay	2 Members.
(iii) By the non-official Members of the Council of the Lieutenant-Governor of Bengal	2 Members.
(iv) By the non-official Members of the Council of the Lieutenant-Governor of the United Provinces of Agra and Oudh	2 Members.
(v) By the non-official Members of the Council of the Lieutenant-Governor of the Punjab	1 Member.
(vi) By the non-official Members of the Council of the Lieutenant-Governor of Eastern Bengal and Assam	1 Member.
(vii) By the non-official Members of the Council of the Lieutenant-Governor of Burma	1 Member.
(viii) By the District Councils and Municipal Committees in the Central Provinces	1 Member.
(ix) By Landholders in the Presidency of Fort St. George	1 Member.
(x) By Landholders in the Presidency of Bombay	1 Member.
(xi) By Landholders in Bengal	1 Member.
(xii) By Landholders in the United Provinces of Agra and Oudh	1 Member.
(xiii) By Landholders in Eastern Bengal and Assam	1 Member.
(xiv) By Landholders in the Central Provinces	1 Member.
(xv) By the Muhammadan community in the Presidency of Fort St. George	1 Member.
(xvi) By the Muhammadan community in the Presidency of Bombay	1 Member.
(xvii) By the Muhammadan community in Bengal	1 Member.

- | | |
|--|-----------|
| (xviii) By the Muhammadan community in the United Provinces of Agra and Oudh | 1 Member. |
| (xix) By the Muhammadan community in Eastern Bengal and Assam | 1 Member. |
| (xx) By the Bengal Chamber of Commerce | 1 Member. |
| (xxi) By the Bombay Chamber of Commerce | 1 Member. |

Provided that in the case of the second, fourth and succeeding alternate elections by the classes specified in sub-heads (xii) and (xiii), a second Member shall be elected by the Muhammadan members of each of the said classes.

Explanation.—The expression “alternate elections” shall not be deemed to include elections to fill casual vacancies.

Electorates and electoral procedures.

III. The election of the Members specified in Regulation II shall be effected by the electorates and in accordance with the procedures respectively prescribed in the Schedules to these Regulations.

Ineligible candidates.

IV. No person shall be eligible for election as a Member of the Council if such person—

- (a) is not a British subject, or
- (b) is a female, or
- (c) has been adjudged by a competent Civil Court to be of unsound mind, or
- (d) is under twenty-five years of age, or
- (e) is an uncertificated bankrupt or an undischarged insolvent, or
- (f) has been dismissed from the Government service, or
- (g) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment for a term exceeding six months, or to transportation, or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted, or the offender pardoned, or
- (h) has been debarred from practising as a legal practitioner by order of any competent authority, or
- (i) has been declared by the Governor General in Council to be of such reputation and antecedents that his election would, in the opinion of the Governor General in Council, be contrary to the public interest :

Provided that in cases (f), (g), (h) and (i) the disqualification may be removed by an order of the Governor General in Council in this behalf.

Qualifications of candidates.

V. No person shall be eligible for election under any sub-head of Regulation II unless he possesses the qualifications prescribed for candidates in the Schedule regulating elections under that sub-head.

Disqualifications of voters.

VI. No person shall be qualified to vote at any election held under these Regulations if such person—

- (a) is a female, or
- (b) is a minor, or
- (c) has been adjudged by a competent Civil Court to be of unsound mind.

Oath of office.

VII. Every person, who is elected or nominated under these Regulations to be a Member of Council, shall before taking his seat make, at a meeting of the Council, an oath or affirmation of his allegiance to the Crown, in the following form, namely :—

I, A. B., having been ^{elected}/_{nominated} an Additional Member of the Legislative Council of the Governor General, do solemnly swear (or affirm) that I will be faithful and bear true allegiance to His

Majesty the King, Emperor of India, His heirs and successors, and that I will faithfully discharge the duty of the office upon which I am about to enter.

VIII. (1) If any person,—

(a) not being eligible for election, is elected under these Regulations, Power to declare seats vacant.

or,

(b) having been elected or nominated, subsequently becomes subject to any of the disabilities stated in clause (c), (e), (f), (g) or (h) of Regulation IV, or fails to make the oath or affirmation prescribed by Regulation VII, within such time as the Governor General in Council considers reasonable,

the Governor General shall, by notification in the Gazette of India, declare his election or nomination to be void or his seat to be vacant.

(2) When any such declaration is made, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification, or shall nominate another person, as the case may be.

(3) If any person elected at such fresh election is not eligible for election, the Governor General may nominate any person who is eligible for election by the electorate concerned.

IX. (1) If any person is elected by more than one electorate, he shall, by notice in writing signed by him and delivered to the Secretary to the Government of India in the Legislative Department, within seven days from the date of the publication of the result of such elections in the Gazette of India, choose, or in his default the Governor General shall declare, for which of these electorates he shall serve, and the choice or declaration shall be conclusive. Candidates elected by several electorates.

(2) When any such choice or declaration has been made, the votes recorded for such person in any electorate for which he is not to serve shall be deemed not to have been given, and the candidate, if any, who, except for the said votes, would have been declared elected for such electorate, shall be deemed to have been duly elected for the same.

X. (1) Save as provided in clause (2) and subject to the provisions of Regulation XVIII, the term of office of an Additional Member shall be three years from the date of his election or nomination, as the case may be : Term of office.

Provided that official Members and Members nominated as being persons who have expert knowledge of subjects connected with proposed or pending legislation shall hold office for three years or such shorter period as the Governor General may at the time of nomination determine.

(2) A Member elected or nominated to fill a casual vacancy occurring by reason of absence from India, inability to attend to duty, death, acceptance of office or resignation duly accepted, or otherwise, or a Member nominated on failure of an electorate to elect an eligible person, shall hold office so long as the Member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

XI. (1) When a vacancy occurs in the case of a Member who represents any interest specified in Regulation II, or at any time within three months of the date when such a vacancy will occur in the ordinary course of events, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect a person for the purpose of filling the vacancy within such time as may be prescribed by such notification. Vacancies.

(2) When a vacancy occurs in the case of a nominated Member, the Governor General may nominate any person to the vacancy :

Provided that when a casual vacancy occurs—

(a) in the case of an elected Member, the election shall always be made by the same electorate as that which elected the Member whose place is to be filled and shall be subject to the same conditions in respect of eligibility of candidates for nomination as those which governed the election of such Member, and

(b) in the case of a Member nominated as representing any class specified in Regulation I, sub-head B, clause (b), the person nominated shall be selected from the same class.

Failure to elect.

XII. If within the time prescribed by a notification issued under Regulation VIII, clause (2), or Regulation XI, clause (1), the electorate concerned fails to elect, the Governor General may nominate at his discretion any person who is eligible for election by such electorate.

Quorum.

XIII. The power of making laws and regulations or of transacting other business vested in the Legislative Council of the Governor General shall be exercised only at meetings at which—

- (a) the Governor General, or
- (b) the President nominated by the Governor General in Council under section 6 of the Indian Councils Act, 1861, or
- (c) the Vice-President appointed by the Governor General under section 4 of the Indian Councils Act, 1909, or,
- (d) in the case of the discussions referred to in section 5 of the Indian Councils Act, 1909, a Member appointed to preside in pursuance of a rule made under that section,

and fifteen or more Members of the Council, of whom eight at least shall be Additional Members, are present.

Corrupt practices.

XIV. (1) No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these Regulations—

- (i) who, with a view to inducing any voter to give or to refrain from giving a vote in favour of any candidate, offers or gives any money or valuable consideration, or holds out any promise of individual profit, or holds out any threat of injury, to any person, or
- (ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate, if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A “promise of individual profit” includes a promise for the benefit of the person himself, or of any one in whom he is interested.

Non-compliance with rules.

XV. No election shall be invalid by reason of a non-compliance with the rules contained in the Schedules to these Regulations, or any mistake in the use of forms annexed thereto, if it appears that the election was conducted in accordance with the principles laid down in such rules and that such non-compliance or mistake did not affect the result of the election.

Disputes as to validity of elections.

XVI. (1) If the validity of any election is brought in question by any person qualified either to be elected or to vote at such election on the ground of the improper rejection or reception of a nomination or of a vote, or of any corrupt practice in connection with such election, or for any other cause, such person may, at any time within fifteen days from the date of the publication of the result of such election in the Gazette of India, apply to the Governor General in Council to set aside such election.

(2) The Governor General in Council shall, after such enquiry (if any) as he may consider necessary, declare, by notification as aforesaid, whether the candidate whose election is questioned or any or what other person was duly elected, or whether the election was void.

(3) If the election is declared void, the Governor General shall, by notification as aforesaid, call upon the electorate concerned to elect another person within such time as may be prescribed by such notification.

(4) If within the time so prescribed the electorate fails to elect, the Governor General may nominate any person who is eligible for election by such electorate.

XVII. The decision of the Governor General in Council on any question that may arise as to the intention, construction or application of these Regulations shall be final.

XVIII. (1) As soon as conveniently may be after these Regulations come into force, a Council shall be constituted in accordance with their provisions. Finality of decisions.

(2) For this purpose the Governor General shall, by notification as aforesaid, call upon the electorates referred to in Regulation III to proceed to elect Members in accordance with these Regulations within such time as may be prescribed by such notification. First elections.

(3) If within the time so prescribed any such class fails to elect, the Governor General may nominate at his discretion for a period not exceeding six months any person who is eligible for election by such class.

SCHEDULE I.

[See Regulation II, sub-heads (i), (ii), (iii) and (iv), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER OR MEMBERS BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE GOVERNORS OF FORT ST. GEORGE AND BOMBAY AND OF THE LIEUTENANT-GOVERNORS OF BENGAL AND THE UNITED PROVINCES OF AGRA AND OUDH.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Member or Members specified in Regulation II, sub-heads (i), (ii), (iii) and (iv), shall be elected by the votes of the non-official Members of the Councils of the Governors of Fort St. George and Bombay and of the Lieutenant-Governors of Bengal and the United Provinces of Agra and Oudh, respectively.

(2) Every such Member shall have one or two votes according as one or two candidates are to be elected.

(3) In the case of the election of two candidates the Member may record both his votes in favour of one candidate.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member or Members whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and after explaining the rules shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a chairman, who shall in the first instance state the number of candidates to be elected and call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence within the Province concerned and such practical connection with that Province as qualifies him to represent it may be nominated as a candidate.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

Voting.

6. (1) If the number of candidates duly nominated does not exceed the number of candidates to be elected, the candidate or candidates so nominated shall be declared to be elected, and the chairman shall forthwith inform the Returning Officer of the name and address of such candidate or candidates.

(2) If the number of candidates duly nominated exceeds the number of candidates to be elected, the Members present, including the chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

7. The chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject and mark "discarded" against any vote which he may discard on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9. (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers, sealed as provided by rule 8, to the candidates or their representatives.

(4) If an objection is made to any voting paper or vote on the ground that it does not comply with the instructions on the voting paper, or to the rejection or discarding by the Returning Officer of any voting paper or vote, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate or candidates to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the names of the candidate or candidates elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of members under rule 3, and shall notify the same in such manner as it thinks fit.

FORM 1.

(See rule 4.)

VOTING PAPER.

Additional Member (s) $\frac{\text{is}}{\text{are}}$ to be elected to the Legislative Council of the Governor General
by the non-official Members of the Legislative Council of the

Governor of Fort St. George.
Governor of Bombay.
Lieutenant-Govr. of Bengal.
Lieut.-Govr. of the U. P. of A. and O.

Serial No.	Names of candidates.	Votes.

Instructions.

1. Each Member shall enter the name or names of the candidate or candidates to whom he desires to give his vote or votes.
2. Each Member has as many votes as there are Members to be elected.
3. If two Members are to be elected, a Member may give both his votes to one candidate.
4. He shall vote by placing the mark x, or the marks x x, as the case may be opposite the name of the candidate or candidates to whom he desires to give his vote or votes.
5. The voting paper shall be invalid if the total number of votes recorded on it exceeds the number of Members to be elected.
6. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
7. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

Signature of Member.

SCHEDULE II.

[See Regulation II, sub-heads (v), (vi) and (vii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE NON-OFFICIAL MEMBERS OF THE LEGISLATIVE COUNCILS OF THE LIEUTENANT-GOVERNORS OF THE PUNJAB, EASTERN BENGAL AND ASSAM, AND BURMA.

Preliminary.

1. "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electors.

2. (1) The Members specified in Regulation II, sub-heads (v), (vi) and (vii), shall be elected by the votes of the non-official Members of the Councils of the Lieutenant-Governors of the Punjab, Eastern Bengal and Assam, and Burma, respectively.

(2) Every such Member shall have one vote.

3. On such date and at such time and place as may be appointed by the Local Government in this behalf, the non-official Members of each of the said Councils shall meet for the purpose of electing the Member whom they are called upon to elect.

4. (1) At such meeting the Returning Officer shall attend, and after explaining the rules shall deliver to each Member present a voting paper in Form I annexed to this Schedule and shall thereafter withdraw.

(2) The Members present shall then proceed to elect from among themselves a chairman, who shall in the first instance call upon the Members to nominate candidates.

Qualifications of candidates.

5. (1) Any person not ineligible for election under these Regulations and having a place of residence within the Province concerned and such practical connection with that Province as qualifies him to represent it may be nominated as a candidate.

(2) Such nomination may be made by any two Members as proposer and seconder, and the names of all candidates so nominated and their respective proposers and seconders shall thereupon be entered by the chairman in a list which shall be read out and signed by him.

Voting.

6. (1) If one candidate only is duly nominated, the candidate so nominated shall be declared to be elected, and the chairman shall forthwith inform the Returning Officer of the name and address of such candidate.

(2) If more candidates than one are duly nominated, the Members present, including the chairman, shall record their votes on the voting papers in accordance with the instructions thereon.

(3) Neglect on the part of the Member to comply with any of these instructions shall render the vote invalid.

7. The chairman shall then inform the Returning Officer, who shall thereupon return to the meeting, and the chairman shall make over to him the list of candidates nominated.

Counting of votes and declaration of result.

8. (1) The Returning Officer shall then collect the voting papers from the Members present, and shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall mark as "rejected" voting papers which he rejects on the ground that they do not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

9. (1) The Returning Officer shall thereupon count the votes in the presence of the Members.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 8 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of any voting

paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

10. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any one of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

11. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

12. The Returning Officer shall without delay report the result of the election to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

13. The Local Government shall appoint such date, time and place as it may think suitable for the meeting of Members under rule 3 and shall notify the same in such manner as it thinks fit.

FORM I.

(See rule 4.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the non-official Members of the Legislative Council of the Lieutenant-Governor of the Punjab.
Eastern Bengal and Assam.
Burma.

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each Member shall enter the name of the candidate to whom he desires to give his vote.
2. Each Member has one vote.
3. He shall vote by placing the mark \times opposite the name of the candidate to whom he desires to give his vote.
4. The voting paper shall be invalid if more than one vote is recorded on it.
5. If the mark denoting any vote is so placed that it is doubtful to which candidate such vote is given, the vote shall be invalid.
6. After voting the Member shall sign the paper at the place indicated on the back, fold it, and deliver it to the Returning Officer. Voting papers not so signed shall be invalid.

Signature of Member.

SCHEDULE III.

[See Regulation II, sub-head (viii), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY THE DISTRICT COUNCILS AND MUNICIPAL COMMITTEES IN THE CENTRAL PROVINCES.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Electorate.

2. (1) The Member specified in Regulation II, sub-head (viii), shall be elected by the votes of delegates to be selected from among themselves in the manner hereinafter prescribed, by the members, other than those appointed *ex officio*, of the District Councils and Municipal Committees specified below.

(2) The number of delegates which such District Councils and Municipal Committees are entitled to select shall be as follows:—

District Councils.

Nagpur District	...	...	3	Hoshangabad District	...	...	1
Bhandara	"	...	1	Narsinghpur	"	...	1
Chanda	"	...	1	Nimar	"	...	1
Wardha	"	...	1	Betul	"	...	1
Balaghat	"	...	1	Chhindwara	"	...	1
Jabalpur	"	...	3	Raipur	"	...	2
Saugor	"	...	1	Bilaspur	"	...	1
Damoh	"	...	1	Drug	"	...	1
Seoni	"	...	1				
Total							22

Municipal Committees.

Nagpur	...	5	Balaghat	...	1	Mandla	...	1	Burhanpur	...	1	
Umrer	...	1	Jabalpur	...	3	Hoshangabad	...	1	Badnur	...	1	
Bhandara	...	1	Saugor	...	2	Harda	...	1	Chhindwara	...	1	
Chanda	...	1	Damoh	...	1	Narsinghpur	...	1	Raipur	...	2	
Wardha	...	1	Seoni	...	1	Khandwa	...	1	Bilaspur	...	1	
										Total	...	23

Selection of delegates.

3. (1) On such date as may be appointed by the Local Government in this behalf, the members above-mentioned of each District Council and Municipal Committee specified in rule 2 shall meet for the purpose of selecting the number of delegates to which it may be entitled.

(2) At such meetings the Attesting Officer shall attend for the purpose of explaining the rules and shall then withdraw.

(3) The business of the meeting shall be conducted by the chairman or president of the Council or Committee, or, in the absence of such chairman or president or if he is an official appointed by Government, by a chairman elected for the purpose.

(4) The selection shall be conducted in accordance with the rules or bye-laws of the Council or Committee for the conduct of business:

Provided that a person already selected as a delegate for a District Council shall not be eligible as a delegate for a Municipal Committee, and *vice versa*.

(5) When the selection is complete, the chairman or president shall deliver to the Attesting Officer a list of the delegates selected.

(6) The Attesting Officer shall without delay report to the Returning Officer the names and addresses of the delegates selected (hereinafter referred to as electors), and the said names and addresses shall be published in such manner as the Local Government may prescribe.

Qualifications and nomination of candidates.

4. (1) Any person not ineligible for election under these Regulations who has a place of residence in the Central Provinces and either is a member or has served at least three years as a member of any such District Council or Municipal Committee may be nominated as a candidate for election.

(2) Every nomination shall be made by means of a nomination paper in Form I annexed to this Schedule, which shall be supplied by the Attesting Officer to any member mentioned in rule 2 asking for the same.

(3) Every nomination paper shall be subscribed as proposer and seconder by two such members and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no member shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested by the Attesting Officer shall be despatched by him without delay by registered post to the Returning Officer.

5. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

6. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers, and may, either of his own motion or on objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 4, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

7. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

8. (1) On such date and at such time and place as the Local Government may appoint in this behalf, the electors desirous of recording their votes shall attend for the purpose before the Returning Officer.

(2) The Returning Officer shall thereupon deliver to each elector a voting paper in Form II annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall then sign the declaration on the back of the paper in the presence of the Returning Officer in accordance with the instructions on the face thereof, and the Returning Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Returning Officer, and there record his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided and after closing the envelope shall deliver it to the Returning Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

Counting of votes and declaration of result.

9. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every voting paper, whether valid or invalid, along the dotted line on the back, so as to conceal the name of the elector, and shall seal down the portion thus folded with his official seal.

10. The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 9 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

11. (1) When the counting of votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

12. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

13. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

14. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the selection of delegates under rule 3;
- (b) the attestation of nomination papers under rule 4;
- (c) the scrutiny of nomination papers under rule 6;
- (d) the attestation of voting papers under rule 8; and
- (e) the counting of votes under rule 10.

FORM I.

(See rule 4.)

NOMINATION PAPER.

1. Name of candidate.
2. Father's name.
3. Address.
4. Signature of proposer.
5. Signature of seconder.

Signed in my presence by _____ and
who are personally known to me (or are identified to my satisfaction) as members, other
than those appointed *ex officio*, of the District Council of
Municipal Committee

Date

Attesting Officer.

Instructions.

1. Nomination papers shall be attested by an Attesting Officer. Those not so attested shall be invalid.
2. They shall be presented for attestation on the _____ day of _____ and
between the hours of _____ and _____, at the office of _____

FORM II.

(See rule 8.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by Delegates of the District Councils and Municipal Committees in the Central Provinces. The following () candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark x opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark x is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate it is intended to apply.
4. The elector shall sign the declaration on the back of the paper in the presence of the Returning Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.

I hereby declare that I am a Delegate of the District Council of
Municipal Committee

Elector

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me
has been identified to my satisfaction.

Returning Officer

SCHEDULE IV.

[See Regulation II, sub-head (ix), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE
PRESIDENCY OF FORT ST. GEORGE.*Preliminary.*

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties.

(2) "Collector" means the District Collector.

(3) "Estate" means any permanently-settled estate or temporarily-settled zamindari or any unsettled palaiyam or jaghir, and includes any portion of such estate which is separately registered in the office of the Collector.

(4) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

(5) "Zamindar" means the holder of an estate and includes a person in receipt of a malikhana allowance from Government.

Qualifications of electors.

2. The Member specified in Regulation II, sub-head (ix), shall be elected by the votes of all landholders, being persons qualified to vote and having a place of residence in the Presidency of Fort St. George, who—

- (a) possess an annual income, calculated as provided in rules 3, 4, 5 and 6, of not less than fifteen thousand rupees derived from land situated within the Presidency, or
- (b) receive from Government a malikhana allowance the annual amount of which is not less than fifteen thousand rupees.

3. For the purposes of rule 2 the annual income of a zamindar from his estate shall be taken to be the annual rental upon which he pays land-cess under the Madras Local Boards Act, 1884, excluding the peshkash or similar charge payable by him to Government.

4. (1) For the purposes of rule 2 the annual income of landholders other than zamindars shall be calculated as follows:—

- (a) the income of ryotwari holders cultivating their own lands shall be taken to be equal to twice the assessment fixed on the land so cultivated;
- (b) the income of ryotwari holders who have leased their lands to tenants shall be taken to be equal to the assessment fixed on the land so leased;
- (c) the income of holders of inams shall be taken to be equal to the rental value on which the land-cess is calculated under section 64 of the Madras Local Boards Act, 1884, excluding the peshkash, jodi, quit-rent or similar charge payable to Government;
- (d) the income of tenants and kanomdars under ryotwari holders shall be taken to be equal to the assessment fixed on the land;
- (e) the income of tenants of zamindars and inamdars shall be taken to be equal to two-thirds of the annual rent value of the lands held by such tenants as determined under section 64 of the Madras Local Boards Act, 1884;

Provided that to the income of tenants holding land free of rent or at a favourable rent calculated as provided in clause (d) or (e) above, as the case may be, there shall be added the difference between the rent (if any) actually charged and the rent ordinarily payable, for land of similar description and with similar advantages in the village or in neighbouring villages; and

- (f) the income of sub-tenants shall be taken to be equal to half the income as determined for the superior tenant.

(2) If, in any case, a separate water-rate or second-crop charge is payable to Government or to a superior holder in respect of any land, such water-rate and charge shall be regarded as forming part of the assessment or rental value, as the case may be, in calculating income under this rule:

Provided that a landholder who collects water-rate or second-crop charge from another person on behalf of Government is not entitled to have anything so collected taken into account when his income is fixed under this rule or rule 3.

(3) If, in any case, it is not possible to calculate income from land in accordance with rule 3 or sub-rule (1) of this rule, the Collector shall determine such income for the purposes of these rules upon the best information available.

5. In all cases under rule 3 and rule 4, the annual income shall be calculated on the figures of the latest fasli year for which figures are available or, in cases where figures for the fasli year are not available, then, proportionately, on the figures of the latest period for which figures are available.

6. (1) In calculating the annual income of all landholders for the purposes of rule 2—

(a) income derived from an estate shall not be reckoned along with income derived from any land other than an estate, but it may be reckoned along with a *málikhána* allowance;

(b) subject to the provisions of clause (a), incomes derived from more than one parcel of land, however held, may be reckoned together:

Provided that, in the case of land referred to in rule 13, sub-rule (2), and rule 14, the income derived therefrom shall not be added to any income derived from other land unless the holder of the latter has been nominated, or is entitled, under those rules to represent the joint holders or family in respect of the former land.

(2) In no case shall income derived from a portion of an estate which is not separately registered in the office of a Collector be taken into account.

7. No person shall be entitled to vote except in the district in which he resides and he shall not be entered in the electoral roll under any other district.

8. No elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

9. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the electoral roll in the local official Gazette, an extract from the electoral roll relating to each district shall be published in the official Gazette of that district and shall also be posted in a conspicuous place at the office of the Collector.

10. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

11. (1) A person who is nominated, or entitled, under rule 13, sub-rule (2), or rule 14, to represent a group of joint owners or a joint family and who is himself possessed of a separate property qualification which entitles him to vote, may elect whether to be entered in the electoral roll in his representative or in his separate capacity.

(2) Every such person shall be entered in one such capacity only and under the district in which he resides.

12. Except as expressly provided in these rules, no person claiming to vote on account of the possession of income derived from land for which a public register is kept shall be entitled to have such income taken into account in determining his eligibility to vote unless the land from which the income is derived stands registered in such register in his name.

13. (1) Where land is registered in the name of a single holder, the name of that holder alone shall be entered in the electoral roll.

(2) Where several persons are registered as joint holders of land, a majority of the adult male persons so registered may nominate in writing any one of themselves who is qualified to vote to be their representative for voting purposes, and the name of such representative alone shall be entered in the electoral roll under the district in which he resides, and, if such nomination is not made, no entry shall be made in the roll in respect of such land.

Explanation.—Land registered under section 14 of the Malabar Land Registration Act, 1896, in the joint names of the registered proprietor and another person is not land registered in the names of joint holders within the meaning of this rule.

14. (1) Where the property of a *tarwád* or similar joint family under the *Marumakká-tayam* or *Aliyasantána* law is registered in the name of a woman and would, but for the disqualification of sex, qualify the registered holder to vote, the senior male member of the family shall, if he is qualified to vote, be entered in the electoral roll under the district in which he resides as the representative of the family for voting purposes.

(2) If the senior male member is not so qualified, no entry shall be made in the roll in respect of the property possessed by the family.

15. Except as hereinbefore provided, no person shall be entitled to have his name entered in the electoral roll unless he possesses the prescribed property qualification in his own personal right and not in a fiduciary capacity.

Revision of electoral roll.

16. (1) The electoral roll published under rule 9 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At any time so notified the Collector may, of his own motion, and shall, on the application of any person whose name appears in the said roll or who claims to have his name inserted therein, revise the said roll so far as it relates to his district.

(3) On such revision the Collector, after such enquiry as he may think necessary, may order any addition to or alteration in the electoral roll, and the orders passed by him in revision shall be final.

(4) As soon as may be after the expiry of the period fixed by the Local Government as that within which the revision must be completed, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 9.

Qualifications and nomination of candidates.

17. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Attesting Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on the date and at the time and place appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

18. Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

19. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 17, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

20. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe.

21. (1) Every elector desirous of recording his vote shall attend for the purpose at such place in the district under which his name appears in the electoral roll and on such date and at such time as may be appointed by the Local Government in this behalf.

(2) The Attesting Officer shall thereupon deliver to each elector a voting paper in Form III annexed to this Schedule, in which shall be entered the names of the candidates, together with an envelope for enclosing the same.

(3) The elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(4) The elector shall then proceed to a place screened from observation, which shall be provided by the Attesting Officer, and there mark his vote on the voting paper in accordance with the instructions on the face thereof.

(5) The elector shall then place the voting paper in the envelope provided, and after closing the envelope shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

22. (1) The Attesting Officer shall, at the close of the day appointed for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post in a packet securely sealed with his official seal.

(2) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV annexed to this Schedule of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

23. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

24. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 23 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

25. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

26. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

27. The Returning Officer shall without delay report the result of the election to the Secretary to the Government of Madras in the Legislative Department and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

28. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 9;
- (b) the attestation of nomination papers under rule 17;
- (c) the scrutiny of nomination papers under rule 19;
- (d) the attestation of voting papers under rule 21; and
- (e) the counting of votes under rule 24.

(See rule 9.)

ELECTORAL ROLL OF LANDHOLDERS IN THE PRESIDENCY OF FORT ST. GEORGE FOR
 THE ELECTION OF AN ADDITIONAL MEMBER TO THE LEGISLATIVE COUNCIL
 OF THE GOVERNOR GENERAL.

[illegible]

FORM II.

(See rule 17.)

NOMINATION PAPER.

1. Name of candidate.
2. Name of father, kárnavan or ejmán.
3. Age.
4. Address.
5. Place of residence.
6. District under which the name of the candidate is entered in the electoral roll.
7. Number borne by candidate on the general electoral roll.
8. Signature of proposer.
9. Signature of seconder.

Signed in my presence on the _____ of _____ 19 _____ by _____ and _____ who are personally known to me (or who have been identified to my satisfaction) as electors Nos. _____ and _____ in the extract relating to this district from the electoral roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative Council of the Governor General.

STATION.

Attesting Officer.

DISTRICT.

Instructions.

1. Nomination papers must be attested by an Attesting Officer. Those not so attested are invalid.

2. They must be presented for attestation on the _____ day of _____ 19 _____ and between the hours of _____ and _____ at the office of _____

FORM III.

(See rule 21.)

VOTING PAPER.

One Additional Member is to be elected to the Legislative Council of the Governor General by the Landholders in the Presidency of Fort St. George. The following [] candidates have been duly nominated :—

Serial No.	Names of candidates.	Vote.

Instructions.

1. Each elector has one vote.
2. He shall vote by placing, or causing to be placed, the mark × opposite the name of the candidate whom he prefers.
3. The voting paper shall be invalid if the mark × is placed opposite the name of more than one candidate, or if it is so placed as to render it doubtful to which candidate such mark is intended to apply.
4. Before his vote is marked the elector shall sign the declaration on the back of the paper in the presence of the Attesting Officer, who shall attest his signature. Without such attestation the voting paper shall be invalid.
5. Voting papers shall be presented for attestation and marked and delivered to the Attesting Officer enclosed in the envelope to be supplied to him for the purpose between the hours of and on the day of 19 .

I hereby declare that I am the person whose name appears as [] No. on the electoral
roll of Landholders in the Presidency of Fort St. George for the election of an Additional Member to the Legislative
Council of the Governor General.

C. N.,

Elector.

(Fold on this line.)

Signed in my presence by the elector, who is personally known to me (or who has been
identified to my satisfaction).

X. Y.,

Attesting Officer.

FORM IV.

(See rule 22.)

LIST OF THE ELECTORS WHOSE VOTING PAPERS HAVE BEEN ATTESTED BY

The following is a list of all the electors whose voting papers have been attested by me :—

Serial No.	Name of elector.	Address.

Attesting Officer.

SCHEDULE V.

[See Regulation II, sub-head (x), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN THE
PRESIDENCY OF BOMBAY.

1. The Member specified in Regulation II, sub-head (x), shall be elected in the order of rotation hereinafter specified by such—

- (a) Jagirdars and Zamindars of Sind,
- (b) Sardars of Gujarat, and
- (c) Sardars of the Deccan,

as are qualified to vote for the election of Additional Members of the Legislative Council of the Governor of Bombay.

2. The order of rotation in which each of the three abovementioned classes of landholders shall exercise its right of election shall be as follows, namely:—

- (1) the Jagirdars and Zamindars of Sind;
- (2) the Sardars of Gujarat;
- (3) the Jagirdars and Zamindars of Sind;
- (4) the Sardars of the Deccan;

and thereafter in the same order of rotation.

3. The rules for the election of an Additional Member of the Legislative Council of the Governor of Bombay by each of the abovementioned classes shall apply with the necessary modifications to the election by such class of a Member under this Schedule.

4. The result of the election in each case shall be reported to the Secretary to the Government of India in the Legislative Department as well as to the Secretary of the Legislative Council of the Governor of Bombay, and the name of the candidate elected shall be published in the Gazette of India as well as in the local official Gazette.

SCHEDULE VI.

[See Regulation II, sub-head (xi), and Regulation III.]

RULES FOR THE ELECTION OF AN ADDITIONAL MEMBER BY LANDHOLDERS IN BENGAL.

Preliminary.

1. (1) "Attesting Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Attesting Officer under these rules, and includes any officer deputed for the time being by the Attesting Officer to perform his duties; and

(2) "Returning Officer" means such officer as the Local Government may, by notification in the local official Gazette, appoint to perform all or any of the duties of the Returning Officer under these rules, and includes any officer deputed for the time being by the Returning Officer to perform his duties.

Qualifications of electors.

2. The election of the Member specified in Regulation II, sub-head (xi), shall be made by landholders qualified to vote and having a place of residence within the province of Bengal, who—

(a) pay land-revenue or road and public works cesses, as follows:—

(i) in the case of the Presidency, Burdwan and Orissa Divisions, forming one group, land-revenue amounting to not less than twenty thousand rupees or road and public works cesses amounting to not less than five thousand rupees per annum; and

(ii) in the case of the Patna, Tirhut, Bhagalpur and Chota Nagpur Divisions, forming another group, land-revenue amounting to not less than fifteen thousand rupees or road and public works cesses amounting to not less than three thousand seven hundred and fifty rupees per annum; or

(b) hold titles conferred or recognised by the Government not lower in rank than that of Raja or Nawab:

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications above described.

Electoral roll.

3. (1) On or before such date as may be appointed by the Local Government in this behalf, an electoral roll in Form I annexed to this Schedule shall be published by the Returning Officer in the local official Gazette.

(2) As soon as may be after the publication of the roll in the local official Gazette, a copy thereof shall be posted in a conspicuous place at the office of every District Magistrate and, in the case of Calcutta, at the office of the Chief Presidency Magistrate.

4. In determining the eligibility of a landholder as an elector—

- (a) only such estates and shares of estates as are held by him as proprietor in his own right and not in a fiduciary capacity, and are registered in his own name in registers maintained under the Land Registration Act, 1876, whether such estates or shares are situated in one or more Divisions of the group, shall be taken into account;
- (b) if the amount paid by the landholder in respect of any such share of an estate is not definitely known, the District Officer of the district in which such estate is situated shall estimate the amount so paid in respect of such share, and his decision shall be final;
- (c) if a landholder pays land-revenue or cesses in respect of estates or shares in estates situated partly in one group and partly in another, and if his payments in neither group reach the amount prescribed for that group, his payments in both groups shall be aggregated, and, if such aggregate equals or exceeds the amount prescribed for the group in which he makes the larger payments, he shall be entitled to be entered in the electoral roll for that group.

5. The electoral roll shall be conclusive evidence for the purpose of determining whether any person is an elector or not under these rules.

Revision of electoral roll.

6. (1) The electoral roll published under rule 3 shall be subject to revision from time to time as the Local Government may, by notification in the local official Gazette, direct.

(2) At the time so notified any landholder whose name does not appear on the said electoral roll and who claims to have his name included therein, and any person who objects to the entry of any name in such roll, may, within fifteen days after the publication of the notification under the last sub-rule, forward to the Returning Officer, either direct or through the District Magistrate of the district in which he resides, a statement of such claim or objection, as the case may be.

(3) The Returning Officer shall consider and decide upon all such claims or objections, and his decision shall be final.

(4) As soon as may be after the disposal of such claims and objections, the electoral roll, as added to or altered on such revision, shall be published and posted as provided in rule 3.

Qualifications and nomination of candidates.

7. (1) Any person not ineligible for election under these Regulations whose name is on the electoral roll may be nominated as a candidate for election.

(2) Such nomination shall be made by means of a nomination paper in Form II annexed to this Schedule, which shall be supplied by the Returning Officer to any elector asking for the same.

(3) Every nomination paper shall be subscribed by two electors as proposer and seconder, and shall be attested by the Attesting Officer in the manner prescribed on the face of the form:

Provided that no elector shall subscribe more than one nomination paper.

(4) Nomination papers shall be presented for attestation on or before the date and at the time appointed by the Local Government in this behalf, and when duly attested shall be despatched without delay by the Attesting Officer by registered post to the Returning Officer.

(5) Nomination papers which are not received by the Returning Officer before the date and time appointed for the scrutiny of nomination papers shall be rejected.

Scrutiny of nomination papers.

8. (1) On the date and at the time appointed by the Local Government for the scrutiny of nomination papers, every candidate and his proposer and seconder may attend at the place appointed, and the Returning Officer shall allow them to examine the nomination papers of all candidates which have been received by him as aforesaid.

(2) The Returning Officer shall examine the nomination papers and may, either of his own motion or upon objection made, reject any nomination paper on the ground that it does not comply with the provisions of rule 7, sub-rule (3), and his decision shall be endorsed upon such paper, and shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

Voting.

9. (1) If one candidate only is duly nominated, the Returning Officer shall forthwith declare such candidate to be elected.

(2) If more candidates than one are duly nominated, the Returning Officer shall forthwith publish their names in such manner as the Local Government may prescribe, and shall further cause their names to be entered in voting papers in Form III annexed to this Schedule.

(3) On or before such date as may be appointed by the Local Government in this behalf, the Returning Officer shall send by registered post to each elector one such voting paper signed by the Returning Officer:

Provided that such a voting paper shall also be supplied to any elector on his applying to the Returning Officer for the same at any time on or before the day appointed as the latest date for the attestation of voting papers and that no election shall be invalidated by reason of the non-receipt by an elector of his voting paper.

(4) On or before such date as may be appointed by the Local Government in this behalf, each elector desirous of recording his vote shall sign the declaration on the back of the voting paper in the presence of an Attesting Officer in accordance with the instructions on the face thereof, and the Attesting Officer shall attest his signature in the manner prescribed by the same instructions.

(5) The elector shall then record his vote on the voting paper in accordance with the instructions on the face thereof, and after placing the voting paper in an envelope and closing the same shall deliver it to the Attesting Officer.

(6) Neglect on the part of the elector to comply with any of these instructions shall render the vote invalid.

(7) The Attesting Officer shall, at the close of the day appointed as the latest date for the attestation of voting papers, despatch all the envelopes so delivered to him to the Returning Officer by registered post, in a packet securely sealed with his official seal.

(8) On the day following the Attesting Officer shall also despatch to the Returning Officer by registered post a list in Form IV of the electors whose voting papers he has attested.

Counting of votes and declaration of result.

10. (1) On receiving the voting papers the Returning Officer shall examine them to see whether they have been correctly filled up.

(2) The Returning Officer shall endorse "rejected" on any voting paper which he may reject on the ground that it does not comply with the instructions on the voting paper.

(3) The Returning Officer shall then fold the lower portion of every paper, whether valid or invalid, along the dotted line on the back, so as to conceal the names of the elector and the Attesting Officer, and shall seal down the portion thus folded with his official seal.

11. (1) The Returning Officer shall attend for the purpose of counting the votes on such date and at such time and place as may be appointed by the Local Government in this behalf.

(2) Every candidate may be present in person, or may send a representative, duly authorised by him in writing, to watch the process of counting.

(3) The Returning Officer shall show the voting papers sealed as provided by rule 10 to the candidates or their representatives.

(4) If an objection is made to any voting paper on the ground that it does not comply with the instructions thereon, or to the rejection by the Returning Officer of a voting paper, it shall be decided at once by the Returning Officer, whose decision shall be final, subject to reversal by the Governor General in Council in the event of the election being questioned under Regulation XVI.

(5) In such cases the Returning Officer shall record on the voting paper the nature of the objection and his decision thereon.

12. (1) When the counting of the votes has been completed, the Returning Officer shall forthwith declare the candidate to whom the largest number of votes has been given to be elected.

(2) Where an equality of votes is found to exist between any candidates and the addition of a vote will entitle any of the candidates to be declared elected, the determination of the person to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Returning Officer and in such manner as he may determine.

13. Upon the completion of the counting and after the result has been declared by him, the Returning Officer shall seal up the voting papers and all other documents relating to the election, and shall retain the same for a period of six months, and thereafter cause them to be destroyed unless otherwise directed by an order of competent authority.

Publication of result.

14. The Returning Officer shall without delay report the result of the election to the Chief Secretary to the Local Government and also to the Secretary to the Government of India in the Legislative Department, and the name of the candidate elected shall be published in the local official Gazette and in the Gazette of India.

Appointment of dates, times and places.

15. The Local Government shall appoint, and shall notify, in such manner as it thinks fit, such date and, if necessary, such time and place as it may think suitable for each of the following proceedings, namely:—

- (a) the publication of the electoral roll under rule 3;
- (b) the attestation of nomination papers under rule 7;
- (c) the scrutiny of nomination papers under rule 8;
- (d) the sending of voting papers under rule 9;
- (e) the attestation of voting papers under rule 9; and
- (f) the counting of votes under rule 11.

